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# AMERICAN-CANADIAN FISHERIES CONFERENCE

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## HEARINGS

AT

WASHINGTON, D. C., JANUARY 21-25  
BOSTON, MASS., JANUARY 31, FEBRUARY 1  
GLOUCESTER, MASS., FEBRUARY 2  
ST. JOHN, N. B., FEBRUARY 5-6

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## CHAIRMAN OF CONFERENCE.

Hon. WILLIAM C. REDFIELD, Secretary of Commerce.

## CANADIAN DELEGATION.

Hon. JOHN DOUGLAS HAZEN, Chief Justice of New Brunswick.  
Mr. GEORGE J. DESBARATS, Deputy Minister of the Naval Service.  
Mr. WILLIAM A. FOUND, Superintendent of Fisheries.

## AMERICAN DELEGATION.

Hon. WILLIAM C. REDFIELD, Secretary of Commerce.  
Hon. EDWIN F. SWEET, Assistant Secretary of Commerce.  
Dr. H. M. SMITH, Commissioner of Fisheries.  
Mr. ARNOLD ROBERTSON, First Secretary of the British Embassy, Secretary of Canadian Delegation.  
Mr. MAITLAND DWIGHT, of the Department of State, Secretary of the American Delegation.  
Mr. EDWARD T. QUIGLEY, Assistant Solicitor Department of Commerce, Assistant Secretary and Legal Adviser of the American Delegation.

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# CONTENTS.

	Page.
Letter of transmittal.....	5
Introduction.....	7
Hearings at Washington, D. C.:	
Mr. E. T. Chamberlain, Commissioner of Navigation.....	11, 42, 46
Mr. George Uhler, Supervising Inspector General, Steamboat-Inspection Service.....	27
Mr. Henry M. Loomis, United States Food Administration.....	43
Hon. John D. Hazen, Chief Justice of New Brunswick, Canadian delegation.....	51
Hon. J. W. Alexander, chairman Committee on Merchant Marine and Fisheries, House of Representatives.....	53
Hearings at Boston, Mass.:	
Opening statement by Hon. William C. Redfield.....	60
Statement by Chief Justice Hazen.....	63, 103
Mr. William J. O'Brien, president Boston Fish Market Corporation.....	66
Mr. H. C. Wilbur, commissioner of fisheries of State of Maine.....	67, 92
Capt. M. H. Nickerson, Boston Lobster Co.....	70, 92, 104
Mr. A. L. Parker, president of Boston Fish Pier Co.....	70, 175
Mr. William H. Brown, secretary of Fishermen's Union.....	71, 124
Mr. John Burns, jr., Bay State Fishing Co.....	76, 155
Mr. Henry Otte, manager of marine department of Bay State Fishing Co.....	80, 181
Mr. Arthur L. Millett, fish commissioner of Massachusetts.....	85
Mr. Frederick L. Davis, president Gloucester Board of Trade.....	88, 112, 121
Capt. Carl C. Young, of Gloucester.....	88, 119
Mr. William F. Doyle, of East Boston.....	93
Mr. Frank S. Willard, of Portland.....	94
Mr. Joseph A. Rich, Bay State Fishing Co.....	96, 105
Mr. O. M. Arnold, New England Fish Co.....	107
Mr. R. L. Patrick of the Vermont Fish and Game League.....	113
Mr. Lius Leavens, Vermont Fish and Game Commissioner.....	114
Mr. D. A. Loomis, Lake Shore Transportation Co.....	114
Mr. J. W. Titcomb, fish culturist of State of New York.....	115
Mr. Sylvester M. Whalen, secretary Boston Fishing Masters' Association.....	123, 125
Mr. Alfred L. Young, J. A. Young & Co.....	128
Mr. John G. Cox, Consolidated Lobster Co.....	141
Mr. C. F. Wonson, Gloucester Salt Fish Co.....	149
Mr. George C. Fitzpatrick, Boston.....	157
Mr. Avery L. Powell, Boston Lobster Co.....	158
Mr. F. J. O'Hare, fish merchant.....	158
Congressman Willfred W. Lufkin, of Essex.....	160
Mr. W. Munroe Hill, Shattuck & Jones Co.....	161
Mr. Gardner Poole, president Commonwealth Ice & Cold Storage Co.....	164
Mr. Irving M. Atwood, Consolidated Weir Co.....	171
Mr. A. L. Parker, president Boston Fish Pier Co.....	175
Mr. W. A. Reed, secretary Gloucester Board of Trade.....	175, 181
Mr. Henry Otte, manager Bay State Fish Co.....	181
Mr. John M. Fulham, Boston Fish Market Corporation.....	177
Mr. George E. Willey, president Boston Fish Market Corporation.....	182, 187
Closing statement by Chief Justice Hazen.....	188
Closing statement by Hon. William C. Redfield.....	188

Hearing at Gloucester:	Page.
Opening statement by Hon. William C. Redfield.....	192
Statement by Chief Justice Hazen.....	194
Mr. Frederick L. Davis, president Gloucester Board of Trade.....	198, 216, 277
Congressman Willfred W. Lufkin, of Essex.....	198, 231
Mr. J. Manuel Marshall, owner of vessels sailing from Gloucester.....	199, 210
Capt. Carl C. Young.....	203, 269
Mr. Thomas A. Carroll, general manager Gorton-Pew Fisheries Co.....	203
Capt. George H. Peebles.....	212
Canadian counties.....	215
Capt. Benjamin A. Smith, vessel manager Gorton-Pew Fisheries Co.....	218, 253, 277
Capt. Elroy Prior.....	225
Mr. Alexander J. Chisholm, fish producer.....	228
Capt. Fred Thompson.....	231
Capt. Lemuel E. Spinney, captain and vessel owner.....	238
Mr. Frank E. Davis, president Frank E. Davis Fish Co.....	241
Capt. Peter Grant.....	243
Capt. John Matheson.....	245
Mr. Orlando Merchant, William H. Jordan Co.....	255
Mr. Charles F. Wonson, Gloucester Salt Fish Co.....	256
Capt. Thomas M. Nickerson, of Bucksport, Me.....	260
Mr. George J. Tarr, George J. Tarr Co., dealers in oils.....	265
Mr. Henry E. Pinkham, Henry E. Pinkham Co., salt fish.....	267
Mr. A. L. Parker, president Boston Fish Pier Co.....	268
Mr. Joseph McPhee.....	269
Facts about the "Seal" in Halifax harbor.....	273
Mr. E. Archer Bradley, vessel owner and distributor of fish.....	274, 277
Information about sale of Gloucester vessels.....	276
Mr. John A. Johnson, marine insurance.....	280
Signing of the Halifax agreement.....	280
Obtaining coal in Canadian ports.....	282
Closing statement by Hon. William C. Redfield.....	282
Closing statement by Chief Justice Hazen.....	284
Hearings at St. John, New Brunswick:	
Opening statement by Chief Justice John D. Hazen.....	288
Statement by Hon. William C. Redfield.....	292
M. M. Gardner, W. C. Smith & Co., Lunenburg, owners of fishing fleet.....	293
Benjamin A. Smith, of Gloucester, Gorton-Pew Fisheries Co.....	305
A. H. Brittain, managing director of the Maritime Fish Corporation (Ltd.), general offices, Montreal; branches at Canso and Digby, Nova Scotia.....	306
S. Y. Wilson, manager Leonard Fisheries (Ltd.), Halifax.....	311
Havelock Wilson, Canadian inspector cured fish.....	321
Harry Belyea, St. John, fisherman.....	323
Robert E. Wilson, St. John, fisherman.....	325
Walter Leonard, St. John, president of Leonard Fisheries (Ltd.).....	326
John F. Calder, Campo Bello, inspector of fisheries.....	330
John Jackson, South Wharf, cured fish dealer, St. John.....	336
R. E. Armstrong, secretary, St. John.....	338
H. B. Short, manager Maritime Fish Corporation at Digby, Nova Scotia.....	340
Thomas Ferguson, steamship inspector, board of the Dominion of Canada.....	355
Closing statement by Chief Justice Hazen.....	363
Closing statement by Hon. William C. Redfield.....	364
Exhibits.....	365-382
Index.....	383-399



## LETTER OF TRANSMITTAL.

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MARCH 22, 1918.

MY DEAR CONGRESSMAN: I have the honor to transmit herewith, for the information of the Committee on Merchant Marine and Fisheries, copies of the reported hearings of the American-Canadian Fisheries Conference held in Washington, Boston, Gloucester, and St. John, N. B.

I am also inclosing an introductory statement briefly setting forth facts relative to the appointment of the commission by the United States and Canada, and the matters discussed at the preliminary meetings of the commission in the city of Washington, including various questions relative to the fisheries which the conference decided to consider.

At the hearings in Washington, Boston, Gloucester, and St. John, several subjects came with special prominence before the conference. Chief among these were the limitations now imposed upon American fishing vessels in Canadian ports and the restrictions which American law placed upon Canadian vessels in our own ports. Of less general importance, but still having weight with the States of Vermont and New York, were certain existing conditions in Lake Champlain.

The hearings developed the fact that a large increase in the production of fish for the food supply of this country was both necessary and practicable, and that wisdom would provide for removing, as far as might be possible, the difficulties that hampered the development of the largest possible production. Following the hearings mentioned above the Canadian authorities courteously took the initiative in removing, by the following Order in Council of February 18, 1918, the embarrassing conditions on Lake Champlain:

Section 15 of the special fishery regulations for the Province of Quebec adopted by Order in Council of the 12th of September, 1907, shall be, and the same is hereby, amended by adding thereto the following subsection:

"5. Fishing by means of nets of any kind is prohibited in Missisquoi Bay and in the Canadian waters of Lake Champlain."

Shortly thereafter, with the President's approval, the Department of Commerce issued, on February 20, 1918, to the collectors of customs the following order:

To promote the vigorous prosecution of the war and to make the utmost use jointly of all the resources of the nations now cooperating, you will permit, during the war, Canadian fishing vessels and those of other nations now acting with the United States to enter from and clear for the high seas and the fisheries, disposing of their catch and taking on supplies, stores, etc., under supervision, as in the case of merchant vessels entering and clearing for foreign ports, except as to tonnage tax and other charges specifically imposed on entry from and clearance for foreign ports. (This order also applies to the Great Lakes and other lakes and waters on the Canadian boundary of the United States. See Exhibit AA, p. 383.)

The effect of this order was to permit Canadian fishing vessels and those of other nations acting with the United States in the war to proceed direct with their cargoes of fish from the fishing grounds to our ports and also direct on the outward trip from the ports to the fishing banks. This action was in due course made known to the Canadian authorities.

On March 8 an order in council was issued by the Governor General of Canada, consisting, in part, of the following report pre-

sented by the committee of the Privy Council and approved by the Governor General:

The Minister of the Naval Service recommends, under the authority of the war measures act, chapter 2, of the Statutes of 1914, that during the war United States fishing vessels, in addition to their treaty rights and privileges, shall be permitted to enter any port in Canada without the requirement of a license or the payment of fees not charged to Canadian fishing vessels, for any of the following purposes: (a) The purchase of bait, ice, nets, lines, coal, oil, provisions, and all other supplies and outfits used by fishing vessels, whether the same are of a like character to those named in this section or not; (b) repairing fishing implements; (c) dressing and salting their catches on board ship; (d) the shipping of crews; (e) the transshipment of their catches; (f) the sale thereof locally on payment of the duty.

The minister further recommends that the fees paid on licenses already taken out for the present calendar year be remitted.

These privileges are granted only for the period of the war by the above order in council, and apply to all Canadian coasts.

A source of complaint on the part of the Canadian delegation had reference to the practice pursued by a number of American lobster-well smacks of catching lobsters off the coast of Nova Scotia just outside the three-mile limit during the closed season for lobster in the territorial waters of Canada. While the laws of Canada prevent Canadian fishermen from taking lobster during the closed season, American fishermen continued to catch them to the disadvantage and annoyance of the fishermen from the Maritime Provinces. The justice of the complaint was recognized by the American delegation, and also by witnesses engaged in the lobster industry who testified at the hearings of the conference in Boston. As a result a bill approved by the American delegation to the conference, having for its object the prohibition of this practice, was, at my request, introduced by you in Congress on February 25, 1918. (See copy on p. 57.)

The promptness with which action was taken in these matters is indicative of the earnest desire on the part of both countries to eliminate all sources of friction growing out of the fisheries.

The conference, with both the American and the Canadian delegates in attendance, will hold a hearing in Seattle beginning April 24, proceeding from there to Vancouver, Prince Rupert, Ketchikan, Alaska, and on their return holding sessions at Ottawa. At these hearings in Seattle and other places in the Northwest, matters concerning the protection of the salmon in and around Puget Sound and the Fraser River, and also the protection of the halibut—the center of this industry being Seattle, Vancouver, Prince Rupert, and Ketchikan, on the Pacific—will be discussed. Furthermore, the matter regarding the use of American and Canadian ports by the fishing vessels of both countries will also be taken up at these hearings, as will also questions relating to the whale industry and to the order in council of Canada, with reference to the purchase of bait and landing of fish by foreign vessels at ports of British Columbia—having a direct bearing on the subject of fishing vessels putting in at Prince Rupert, B. C.—together with other fishery matters that may come to the attention of the conference.

Very truly, yours,

WILLIAM C. REDFIELD,

*Secretary.*

Hon. J. W. ALEXANDER,

*Chairman Committee on Merchant Marine and Fisheries,  
House of Representatives, Washington, D. C.*



## INTRODUCTION.

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During the past five years several questions of an important character developed between the United States and Canada in connection with the fisheries on both the Atlantic and Pacific coasts which it soon became apparent must be given serious consideration. After considerable correspondence the Governments of the United States and Canada arranged to hold a joint conference "to reach, if possible, a mutually satisfactory understanding as to the pending questions concerning the fisheries on both the Atlantic and Pacific coasts, and to report the result of their deliberations to their Governments as a basis for the subsequent negotiations of a formal agreement between them."

The Canadian Government appointed the following commissioners to the conference: Hon. John Douglas Hazen, Chief Justice of New Brunswick; Mr. George J. Desbarats, C. M. G., C. E., Deputy Minister of the Naval Service; and Mr. William A. Found, Superintendent of Fisheries. The Government of the United States in turn appointed as commissioners Hon. William C. Redfield, Secretary of Commerce; Mr. Edwin F. Sweet, Assistant Secretary of Commerce; and Dr. Hugh M. Smith, Commissioner of Fisheries. Mr. Arnold Robertson, First Secretary of the British Embassy, was appointed secretary of the Canadian delegation; Mr. Maitland Dwight, of the Department of State, was appointed secretary of the American delegation; and Mr. Edward T. Quigley, Assistant Solicitor for the Department of Commerce, was appointed assistant secretary and legal advisor.

The first session of the conference was held on January 16, 1918, at the Department of Commerce, and at the suggestion of Chief Justice Hazen, Secretary Redfield was elected chairman. The conference held sessions on January 17, 18, and 19, at which the following matters were generally discussed:

1. *Lobster fisheries in the North Atlantic.*—The Canadian commissioners pointed out that American lobster well-smacks had adopted the practice of fishing just outside the territorial waters of Canada during the closed season for lobster fishing in that country. This not only caused irritation among the Canadian fishermen, but nullified the purpose of the closed season. The American delegates acknowledged the justice of the Canadian position, and Secretary Redfield requested Mr. Quigley to prepare a bill to be introduced in Congress to prevent the continuation of this practice.

2. *Conservation of salmon in and around Puget Sound and the Fraser River.*—This matter was generally discussed and the commissioners of both countries realized the necessity of taking steps to preserve the salmon supply. The following resolution was adopted:

That a committee be formed to prepare a number of regulations for submission to the conference for controlling fisheries in and affecting the Fraser River and the waters contiguous thereto.

Dr. Smith and Mr. Found were selected to form the committee, and were authorized to associate with them such others as they might deem desirable.

3. *Fishing industry in and around Prince Rupert and Ketchikan.*—The American delegates pointed out that the present regulations at Prince Rupert, under an order in council, placed an unfair burden upon the American fishing industry. The Canadians stated that this impression was based on a misconception of facts. The matter was deferred for further consideration at future sessions of the conference.

4. *Equitable rules governing the use of Canadian and American ports by fishing vessels of both countries.*—The delegates discussed at length the question of the Canadian Government granting licenses to fishing vessels of the United States to enter its ports for further privileges than those granted by the treaty of 1818 (see Exhibit BB, p. 383) without charging a fee for the issuance of such licenses, and also the question of the issuance of a license to fishing vessels irrespective of how they might be propelled, and that the issuance of such licenses be provided for on a permanent basis and not be conditional on annual orders in council of the Government of Canada. The Canadian delegates called the attention of the conference to the fact that under the present law in the United States Canadian vessels were forbidden to clear directly from American ports to the fishing grounds or to go into American ports from the fishing grounds. These important questions were left for more careful consideration by the conference.

5. *Protection of halibut in the Pacific.*—The delegates agreed that some steps should be taken to protect the halibut fishery on the Pacific Ocean and took up the consideration of a resolution to accomplish this end.

6. *Pike-perch fisheries in Lake Champlain.*—The delegates agreed that some steps should be taken to prevent Canadians from net fishing in the Canadian portion of the lake.

7. *Sturgeon fisheries.*—The delegates agreed that some action should be taken to preserve the sturgeon in both coastal and interior waters.

8. *International protection of whales.*—It was suggested that the conference should also consider the protection of whales on the high seas. This matter was held over for further consideration.

At the session of January 19 the subject of bounties paid by the Government of Canada to their fishermen was discussed, and the Canadian commissioners submitted a memorandum on the subject which showed that the amount paid was practically insignificant. A copy of the memorandum is attached. (See Exhibit A, p. 367.)

Preliminary to the hearings which the conference decided to hold in New England and the Canadian Maritime Provinces, a notice was sent to the fishing industries interested that the following subjects were before the conference and would be made, among others, the subject of consideration:

1. That the *modus vivendi* (see Exhibit CC, p. 383) be extended to all fishing vessels, by whatever means they may be propelled; that it be applied to the Pacific coast as well as to the Atlantic; and that the annual fee be reduced from \$1.50 per registered ton to the nominal sum of \$1 per vessel; also, that the

renewal of the licenses from year to year be not conditional on an order in council but form part of the arrangement itself.

2. That United States fishing vessels on both coasts be allowed to sell their fish in Canadian ports for the Canadian markets, subject to customs duty, as well as to sell in bond.

3. That Canadian fishing vessels be allowed to purchase bait and all other supplies and outfits in United States ports or waters on equal terms with American fishing vessels.

4. That Canadian fishing vessels be allowed to take their catches to United States ports and sell them there, subject to customs duties, if any.

5. That fishing vessels of either country visiting ports in the other be given clearance for the fishing grounds, if so desired.

6. That the United States prevent American lobster well smacks from fishing off the Canadian coasts during the close seasons for lobster fishing on such coasts.

At the suggestion of Secretary Redfield the conference invited Hon. Duncan U. Fletcher, ranking member of the Senate Committee on Fisheries; Hon. Joshua W. Alexander, chairman of the House Committee on the Merchant Marine and Fisheries; Mr. Eugene T. Chamberlain, Commissioner of the Bureau of Navigation; Mr. George Uhler, Supervising Inspector General of the Steamboat Inspection Service; and a representative of the United States Food Administration to be present at the subsequent sessions in Washington to give the conference the benefit of their views on matters coming before it. The testimony of these gentlemen, together with the hearings at Boston, Gloucester, and St. Johns and the exhibits considered appears appended hereto.





# AMERICAN-CANADIAN FISHERIES CONFERENCE.

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## HEARINGS AT WASHINGTON, D. C.

WASHINGTON, D. C.,

*Monday morning, January 21, 1918.*

Mr. Eugene Tyler Chamberlain, Commissioner of Navigation, Department of Commerce, United States of America, appeared before the conference at the Department of Commerce.

Secretary Redfield, who was selected as chairman of the conference, presided.

### STATEMENT BY MR. E. T. CHAMBERLAIN, COMMISSIONER OF NAVIGATION.

Secretary REDFIELD. Mr. Chamberlain, the Canadian commissioners have submitted, as you have heard, a suggestion which involves a matter which I understand to come within the scope of the navigation laws, and which is in substance that "in consideration for certain other matters suggested by them Canadian vessels be permitted to leave our ports direct for the fishing banks, wherever they may be, and to enter direct from the fishing banks into our ports."

Will you tell the conference in your own language what the law is on that subject, giving its history in brief compass; what changes, if necessary, would have to be made in the law to carry out the suggestion; how those changes would be effected, and, in short, your knowledge and opinion of the matter as proposed; and after you have made your statement, or possibly in the course of it, the Canadian commissioners are invited to ask any questions on the subject that may occur to them. State the facts in your own way.

Mr. CHAMBERLAIN. The law, Mr. Secretary and gentlemen, is a simple and ancient one. It is embodied in section 4311, of which I have several copies. [Hands a copy to each member.] The law is as follows:

R. S. 4311. Vessels of twenty tons and upward, enrolled in pursuance of this title (R. S. 4311-4390) and having a license in force, or vessels of less than twenty tons which, although not enrolled, have a license in force, as required by this title, and no others, shall be deemed vessels of the United States entitled to the privileges of vessels employed in the coasting trade or fisheries.

That is section 4311 of the Revised Statutes, which is part of the act of 1793, and has been steadily in operation.

Enrolled vessels are vessels that are over 20 tons; any under 20 tons are licensed and not enrolled. The enrolled vessels also carry a license which entitles them to engage either in the coasting trade or fisheries. The vessels under 20 tons have not an enrollment, but merely a license or annual document. So the section is comprehensive; it takes in everything. That is a restriction of the coasting trade and the fisheries to vessels of the United States, and that is the basic law; that is, you may say, the entire law on the subject.

It aims at rather more. This distinction between the coasting trade and the fisheries aims at rather more than the exclusion of foreign vessels, because a vessel that is enrolled for the coasting trade—I should say licensed for the coasting trade—which engages in the fisheries is subject to forfeiture, or, vice versa, a vessel licensed for the fisheries which engages in the coasting trade is subject to forfeiture. In other words, you have to live within your license.

The statute is a part of the act of 1793, which really dates back to the first registry act of 1789. The policy of the time was, of course, in the first place, to develop the construction of ships in the United States, and, in the second place, to keep the trades absolutely distinct. The reason for that, I take it, was that Jefferson and other men of those days were very keen on the development of the fisheries. Jefferson, you may have noted, prepared quite a document on that subject when he was Secretary of State. The fisheries were from—I can not recall the exact date, but from very early in the history of the country up to well within the Civil War, in receipt of bounties on the basis of the size of the ship. If any of the members of the conference are interested in that subject, I covered it in a report some years ago, but I did not bring it down with me. That was taken away in 1864, and as a substitute for the bounties, which had been paid up to that time, certain privileges—that of free, pure salt for curing the fish was the principal one—were granted.

I am a little at a loss, Mr. Secretary, to know how to go on, because, as I say, that is the basic law, and any other matter beyond that would be a matter of detail; but I do not know in which direction your minds are turning, and if you will give me the benefit of a question or two, I will answer them.

Secretary REDFIELD. Proceed, Mr. Chamberlain.

Mr. CHAMBERLAIN. The repeal or modification of that law is the only way to meet the proposition. The law, as you see, is an affirmation of a policy. Actual proceeding under this statute was brought to our attention of late years; I think it was in 1911 in the case of the *Coquet*, the British steam trawler. I have the papers here.

It came into New York and the captain announced that he wished, for reasons that were given that were related at the time—I don't recall them now—to make several fishing voyages out of the port of New York. This being a Canadian fishing vessel, he asked if he would be allowed to do so. The collector said that unless he was instructed to the contrary he would not allow her to clear for the high seas, and we confirmed his position. That was in 1911.

Secretary REDFIELD. Mr. Chamberlain, is there any penalty attached to this law?

Mr. CHAMBERLAIN. That matter came up at the time, and there is not, as a matter of fact, any penalty that is applicable.

Secretary REDFIELD. Suppose then that a Canadian vessel did sail from a port to fishing banks and returned with a cargo of fish, what would happen?

Mr. CHAMBERLAIN. There are two aspects of that. In the first place, there is the departure of the vessel, practically in defiance of the order of the collector, that she should not depart on that particular voyage. It is quite proper for the collector to enlist the co-operation of a revenue cutter, a coast-guard ship, as they now call them—to send one of those armed boats out and bring the ship back. That used to be not infrequently done a great many years ago, but



of course of late years there has been nothing of that kind attempted; probably there has been no occasion for it.

But assuming that the vessel went in defiance of the collector's orders, there is no particular penalty. There is a fine for departing without clearance, but that is merely \$500. It doesn't amount to very much, and in the case of the return of the vessel I don't know just what could be done. I don't know of anything. There is the prohibition of the law. The only way to meet the situation would be by invoking the forces of the Government, rather than any specific statute.

There is an alien-tonnage tax that years ago somebody attempted to apply, not to a case of just this kind but to one in some respects like it; but Mr. Brewster, I think it was, the Attorney General at that time, held that it had no application to this section; so it is hardly worth my while referring to it.

Secretary REDFIELD. Then, if I understand you correctly, the substance of the law as it stands is a declaration of policy?

Mr. CHAMBERLAIN. Yes, sir.

Secretary REDFIELD. Is there any power in any department of the Government to instruct the collector to allow such vessels either to clear or to depart without clearance? Also to permit her to enter without formal entry?

Mr. CHAMBERLAIN. The general power over entry and clearance is vested, as you know, in this department.

Secretary REDFIELD. Does it extend to cases of that character?

Mr. CHAMBERLAIN. It was exercised in that instance.

Secretary REDFIELD. Which instance do you refer to?

Mr. CHAMBERLAIN. The case of the *Coquet*; exercised, I might say, after some reflection as to whether it was there or whether it wasn't. But it was assumed that the policy clearly carries with it the duty of somebody to give utterance to that policy in a specific case which may arise, and this specific case was right there, and it was certainly the duty of the head of this department, rather than of another department.

Chief Justice HAZEN. Was that in New York?

Mr. CHAMBERLAIN. Well, the port isn't important; it would come into an American port with a load of fish direct from the fishing grounds.

Mr. FOUND. The *Coquet* was a British vessel.

Chief Justice HAZEN. I understand that: it came to an American port with a load of fish, and then it cleared right directly to the fishing ground?

Mr. CHAMBERLAIN. She wished to clear.

Chief Justice HAZEN. She wished to clear, and did you allow her to?

Mr. CHAMBERLAIN. She did not, but she cleared subsequently for a Canadian port, which was quite proper.

Chief Justice HAZEN. Then you wouldn't allow her to clear for a fishing ground?

Mr. CHAMBERLAIN. No, sir.

Chief Justice HAZEN. In what way did the head of this department exercise control?

Mr. CHAMBERLAIN. The collector said that he would refuse unless instructed to the contrary, and my recollection is—there is no need

of my trusting to my recollection on that. With your permission, Mr. Secretary, I will read this letter, which seems to be of September 1, 1911.

(Communication of Sept. 1, 1911, from Charles Earl, Acting Secretary, to collector of customs, New York City, read by Mr. Chamberlain. See Exhibit B, page 367.)

Mr. CHAMBERLAIN. That in spite of its absurdity.

Secretary REDFIELD. In the event of his having left without clearance a fine of \$500 would be automatically imposed.

Mr. CHAMBERLAIN. If you ever got him again.

Secretary REDFIELD. Precisely.

Mr. CHAMBERLAIN. Please bear in mind that it is permissible, you know, to send an armed vessel after a vessel that leaves without clearance. I doubt whether it would have been done in this case.

Secretary REDFIELD. It is also a fact, is it not, that the Secretary of Commerce was authorized to mitigate or to cancel fines of that character?

Mr. CHAMBERLAIN. Oh, yes.

Secretary REDFIELD. It is under that phase of the law, is it not, that the vessels are acting in coastwise trade upon the Lakes, and that we have recently instructed certain vessels belonging to His Majesty the King of Great Britain to be permitted to leave and enter the port of New York without clearing and without entry?

Mr. CHAMBERLAIN. Yes, sir. So far as the coasting law is concerned, a special law was passed for allowing permits in that.

Mr. FOUND. May I ask if you are familiar with the ruling which was given by the collector of customs possibly two years after that? I am not sure as to the time, but quite subsequently to that. It was the ruling in which he refused to allow a vessel to come in from the high seas with the fish.

Mr. CHAMBERLAIN. I think I have that here. Of course the two would go together, at any rate.

Mr. FOUND. The latter case went a bit further. You see, in his case there was a duty on the fish in the United States. He came in, and there was no objection to his selling the fish on paying the duties, but after the tariff had been removed, then the other question arose, and the collector of customs at Boston said that he wouldn't be allowed to go there with his fish at all, direct from the fishing ground.

Mr. SWEET. Had he started from an American port?

Mr. FOUND. The *Coquet* was a British steam trawler that was fishing under contract for so much per pound for all the fish that were delivered to a certain Canadian firm. She went out on a fishing trip during the winter and couldn't get back to Canso from which port she was fishing on account of ice. She consequently went to New York with her catch and couldn't get back. She got a good price and wanted to come back again. That was the whole thing. But there was no question raised then as to her going there. The only question then was to make her lose the time to go back to a Canadian port from there before proceeding to the fishing grounds; but, subsequently, when the tariff was revised and free fish came on, the collector of customs at Boston intimated that no Canadian fishing vessel or foreign vessel would be allowed to go into Boston from the fishing grounds with her fish.

Mr. SWEET. Without any regard to the port from which she had started?

Mr. FOUND. Yes.

Mr. CHAMBERLAIN. That was in 1914, I think.

Secretary REDFIELD. Will you put the matter in the record, please? (Letters of the collector of customs, dated June 4, 1914, and of Commissioner Chamberlain, dated June 5, 1914, read. See Exhibits C and D, p. 368.)

Mr. CHAMBERLAIN. I don't know whether that is the case you have in mind.

Mr. FOUND. That covers it entirely.

Chief Justice HAZEN. It would be correct, sizing up the situation as the law stands at the present time, that a Canadian vessel that has sailed from a Canadian port and caught a cargo of fish can not take that fish directly into a port in the United States and sell it there, and that a Canadian vessel that is in a United States port having sold its cargo of fish can not get clearance for the high seas.

Mr. CHAMBERLAIN. That is undoubtedly the policy, and while there might be some difficulties, as I have indicated in the physical application of force or in any method of stopping it, that would certainly be the aim of the law. And it is our policy to try and carry that out as best we may.

Chief Justice HAZEN. You say that is the policy, but isn't that the law to-day?

Mr. CHAMBERLAIN. That is the law; but, as I say, the method of carrying it out is not as clear as it might be.

Chief Justice HAZEN. I am asking whether that is not the law?

Mr. CHAMBERLAIN. Quite so, in my understanding.

Chief Justice HAZEN. So that it is unlawful, therefore, for a Canadian fishing vessel to leave, say, the banks with a cargo of fish and to enter at an American port without going to a Canadian port—

Mr. CHAMBERLAIN. Yes, sir.

Chief Justice HAZEN (continuing). In the meantime. And it is unlawful for a Canadian vessel to leave an American port and go directly to the fishing grounds. It must go to a Canadian port, enter there, and then clear from there?

Mr. CHAMBERLAIN. That's my understanding.

Secretary REDFIELD. Is there not even more than that involved? Is it not a fact that she must not only physically go from our port to a Canadian port and thence to the fishing grounds and also from the fishing grounds to a Canadian port before she comes to our port, but must she not also go into the Canadian port in both cases in order to comply with our law—change her character from that of a fishing vessel to that of a trading vessel?

Mr. CHAMBERLAIN. That is undoubtedly so. It ceases to be a catcher of fish and is an ice box.

Secretary REDFIELD. She changes her character from a fish-catching vessel to a fish-transporting vessel.

Chief Justice HAZEN. Would you allow me to ask you this, Mr. Chamberlain? Perhaps it is an unfair question, but in what way would it be to the disadvantage of the commercial interests, or the fishing interests of the United States, if a Canadian fishing vessel was permitted to clear from an American port right to the fishing grounds?



Mr. CHAMBERLAIN. Well, is that a question?

Chief Justice HAZEN. Perhaps not a fair question. Do you object to an answer, Mr. Secretary?

Secretary REDFIELD. I have no objection to the question. If there is any disadvantage, Mr. Chamberlain, known to you, there is no objection to your stating it.

Mr. CHAMBERLAIN. I might say that I am not familiar enough with the general commercial interests of the country to give a competent answer. Of course, on the face of things, as a commercial proposition, it doesn't help at all. It doesn't help at all a system of this kind, but you must get back of that to the original purpose of the act and that whole scheme of laws.

Secretary REDFIELD. This law was passed on what date?

Mr. CHAMBERLAIN. 1793.

Secretary REDFIELD. At that time, is it not a fact that all vessels of war of the United States were wooden vessels?

Mr. CHAMBERLAIN. Yes, sir.

Secretary REDFIELD. And the wooden shipbuilding was carried on wholly upon the Atlantic coast of the United States?

Mr. CHAMBERLAIN. There wasn't any Pacific coast; it was there, but not in our occupation.

Secretary REDFIELD. The answer is "Yes"?

Mr. CHAMBERLAIN. Yes, sir.

Secretary REDFIELD. Now, are you able to say upon what portion of the United States that shipbuilding was carried on at that time?

Mr. CHAMBERLAIN. The North Atlantic coast. There were a few small vessels built as far down as the Chesapeake Bay, and farther down, perhaps.

Secretary REDFIELD. When you say "the North Atlantic coast," are you able to give any closer limit than that?

Mr. CHAMBERLAIN. New England and New York, and I don't think there is anything in New Jersey, and a little on the Delaware and Chesapeake, perhaps.

Secretary REDFIELD. Is it a correct understanding of the fact to say that the shipbuilding of the period was carried on in New England and New York?

Mr. CHAMBERLAIN. You would have to take in the Delaware, I think.

Secretary REDFIELD. From what source was the United States Navy of that period recruited for its seamen?

Mr. CHAMBERLAIN. It was altogether an American Navy, you know. That is, the personnel of the merchantmen and the other vessels were all American. It wasn't until the Civil War that the law was repealed, requiring two-thirds of the crews to be Americans.

Secretary REDFIELD. That throws light upon the matter, but it isn't quite an answer to my question.

Mr. CHAMBERLAIN. Will you state your question over again?

Secretary REDFIELD. From what source was the Navy and merchant marine of that period recruited?

Mr. CHAMBERLAIN. From the maritime population which was in the seaboard States.

Secretary REDFIELD. Well, did that include the fishing vessels such as there were at that time?

Mr. CHAMBERLAIN. Oh, yes.

Secretary REDFIELD. Other than the fishing fleet of the time, was there any source from which the merchant marine and the Navy of the country could at that time be recruited?

Mr. CHAMBERLAIN. The fishing fleet was not large in proportion to the merchant fleet, so I can't quite gather your question; can't quite gather the drift of it.

Secretary REDFIELD. What I am trying to get upon the records is the exact facts regarding the circumstances under which that law was passed; whether it was in its purpose intended to be applicable to a condition that has since passed away or not.

Mr. CHAMBERLAIN. It was intended to a very large extent as a military measure.

Secretary REDFIELD. To supply a source from whence the Navy and the merchant marine could be recruited under conditions which by law required that recruiting to be confined to American citizens; that is a fact, isn't it?

Mr. CHAMBERLAIN. Yes, sir. Of course, there were not any steamers at that time; now you have a lot of those. But if I may resume where I was—

Secretary REDFIELD. Go ahead.

Mr. CHAMBERLAIN (continuing). The conditions have very materially changed since the days of which we were speaking, because a very large part of our fishing population, as you gentlemen are all aware, at the present time, is not American population at all, it is not American-born population, and a very considerable part of it is not naturalized. Now, the Commissioner of Fisheries can speak with much more exactitude on that subject than I can, but it is within the general observation of us all that on the New England coast there are a lot of Portuguese manning our fishing fleets. In some parts of Massachusetts they make up almost the entire fishing population. Then, too, in some parts of the coast, the southern part of California, there are a large number of Japanese, out in Honolulu there are quite a number of Japanese, and singularly enough, we developed only a few days ago, you may recall, a statement that in one place—I don't recall whether it was San Pedro or not—there were about two or three hundred Slavonians, who were theoretically, at least, enemies of the United States, and the question was whether these men could fish or could not. The fisheries now, instead of being nurseries of the American seamen, as they were designed to be, and as in point of fact they were before the Civil War, have ceased to have just that relationship to the national defense.

Secretary REDFIELD. I would like to ask Mr. Found if he is able to say what the procedure is as to cost and time required to transfer a Canadian vessel from her fishing character to her trading character.

Mr. FOUND. I am afraid I can't answer that question with full exactness. I don't know whether it would be competent for a fishing vessel to come in with her fish on board and transfer herself into a merchant vessel with these fish still in her hold or not. I am inclined to think that it would be. A fishing vessel operates under a license with us and a commercial vessel under a register, and she could come in and take out a register, which would be a matter of not more than a few days.

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Mr. SWEET. If the law has any effect, if it reaches any actual cases, the tendency of it would be, would it not, to diminish the quantity of fresh fish brought into American markets?

Mr. CHAMBERLAIN. I should think so; yes. Of course, it might be said, upon the other hand, you know, that if you did this, there would not be any American fishermen and that the Canadian fishing population would increase; that is going into a theoretical discussion that I don't think I can throw any particular light on; it would be merely the opinion of one man.

Secretary REDFIELD. Mr. Chief Justice, do you wish to ask Mr. Chamberlain any questions?

Chief Justice HAZEN. No, sir.

Mr. DESBARATS. I was wondering, Mr. Chamberlain, in reading over that clause of the law, whether it was the actual law or the interpretation of it which prevented the clearing of the fishing vessel from an American port for the high seas. Under the law coasting is prohibited to any American ships. I am not quite so clear as to why a foreign vessel should not be cleared for the high seas. Is there any specific clause in your law, or is it a matter of interpretation?

Mr. CHAMBERLAIN. It is a matter of interpretation growing out of that.

Mr. DESBARATS. It is the interpretation that has grown out of that.

Mr. CHAMBERLAIN. And it dates back a great many years. It goes so far back as in the time of Justice Story. Cases came up where not a foreign vessel was involved, but we are making even a stronger case—the case of vessels clearing with a license for the coasting trade when they were going into the fisheries, or vice versa. I have a case, which I can give you later on, if you want it, where the vessels were held in the closest distinction, to the literal observation of the difference between two papers, the paper for the coasting trade—the license for the coasting trade, and the license for the fisheries, and it was held that the use of one in the other trade carried with it forfeiture. So I think that there is no doubt but that the policy has been uniform in its affirmation and in its enforcement. The evidence is, as you know, that Canadian vessels have not, as a rule, gone into our ports in the fishing business.

Secretary REDFIELD. It has been stated by the Chief Justice and one of our other friends that the practice on the Pacific coast is for the fishing vessels to go in on the Pacific coast from the fishing grounds and sell their catch in Seattle, you may say, and then go wherever they choose, whether to the fishing grounds or to a Canadian port.

Mr. FORND. If you will pardon me, in place of coming in to sell their catch, they come in frequently when they are scarce of bait to obtain bait, and, after procuring bait, they are then cleared directly for the fishing ground. I don't know of instances where they have gone in to sell their fish.

Dr. SMITH. That was the impression I got.

Mr. FORND. I am sorry I created that. Following that further, they are permitted to do that, and each trip that they enter Alaskan waters, they are required to enter. I suppose that is a special statute?

Mr. CHAMBERLAIN. No; there isn't any special statute.

Mr. FOUND. Every Canadian fishing vessel that goes north is required to enter at Ketchikan and is cleared immediately for the high sea.

Mr. CHAMBERLAIN. You surprise me when you say that.

Dr. SMITH. Why is the vessel required to go to Ketchikan if it is fishing in extraterritorial waters?

Mr. FOUND. She must enter, and it is rather painful, because it usually costs her from eight to thirteen dollars.

Dr. SMITH. Why is she required to enter?

Mr. FOUND. Because all vessels are.

Secretary REDFIELD. I am mighty glad you suggested that. Let's get the facts out and turn them to the light of day.

Mr. FOUND. I am not suggesting that there is a discrimination against Canadian vessels, as American vessels are required to enter and pay similar fees. I think you will find that the fees run according to the size of the vessel, usually averaging from eight to thirteen dollars each time.

Mr. CHAMBERLAIN. There is something here that I will find in a minute or two that was due to the unsettled condition of Alaska that required vessels to make an entry at the nearest place and then go out, because there were no customhouses and nobody there.

Dr. SMITH. Why should a Canadian vessel be required to go to an Alaskan port when it is fishing in extraterritorial waters?

Mr. FOUND. She enters Alaskan waters when she sails up through these narrow channels, going north.

Chief Justice HAZEN. She has to pass through territorial waters of the United States on her way to the fishing grounds.

Mr. CHAMBERLAIN. That law is one that had not occurred to me at the time, but I see its bearing. That is really the law in regard to the prevention of smuggling and all that sort of thing. As I say, there were very few customhouses up there and that law dates back to the time when the ship that once came within the territorial waters of Alaska was reported to the nearest customhouse, who looked it over and said, "Go ahead." That is how that would be accounted for.

Chief Justice HAZEN. And she came back and reported on the way back.

Mr. FOUND. She must have a bill of health; that is the only point where it costs a Canadian vessel more than an American vessel. A foreign fishing vessel must have a bill of health from the consul at the Canadian port she leaves. That costs \$5. Tonnage is 2 cents per net ton and the custom broker's fee is \$2. On the usual-sized vessels it is about \$13, on the smaller vessels less. As I say, it is not discriminatory.

Secretary REDFIELD. So that I understand the law requires an American customs collector to do that in Alaska?

Mr. FOUND. Yes.

Secretary REDFIELD. Which the law forbids him to do in Boston; and if that customs collector—

Mr. CHAMBERLAIN. I wouldn't put it that way.

Secretary REDFIELD. I am speaking my understanding of it, and I want to know if it is right; and if we can assume that collector



to be transferred from Alaska to New England, he would find himself obliged to reverse his procedure in the case of a vessel which we might assume, in the meantime, would come around through the Panama Canal——

Mr. FOUND. Yes, sir.

Secretary REDFIELD. To carry on the same business on the Atlantic coast which it had been carrying on in the Pacific? I want to get that straightened out, because if that is the case we have hold of something that requires thought. Let us assume for the moment—I want to know if I am correct: I am asking a question—that a Canadian halibut schooner is the vessel in question. If the matter is correctly stated to me, or if I understand it correctly, that vessel, going to fish upon the high seas in the Pacific, is obliged for physical reasons of stress of weather and other sufficient cause to enter the port at Ketchikan and take a clearance thence which is given to her under the law for the high seas. She is sold, it is assumed, to owners in Nova Scotia who wish to operate her in the same business on the Atlantic, and for the purpose it is transferred. It makes a voyage through the Panama Canal to the North Atlantic coast, and then it is supposed in the illustration that the same collector who issues her clearance in Ketchikan has been transferred to the American port on the North Atlantic coast where the vessel seeks clearance, and there the same officer is obliged to refuse to the same vessel, doing the same business, the very clearance which he was required by law to give her in Alaska. Now, that is as I understand the facts; is that your understanding of the facts, Mr. Found?

Mr. FOUND. Yes, sir; that has been my understanding.

Mr. CHAMBERLAIN. My understanding is that the Constitution provides for a uniform regulation of commerce, and if any such condition exists, of course, there is a mistake on the part of the man in Alaska. The deputy collector, whoever he is, in his zeal to see that no smuggling is attempted by these fishing vessels that go through his jurisdiction, is holding them close to the smuggling law and has overlooked the fact that he should not allow these vessels to clear for the high seas. Of course, there is an easy thing to do; all we have to do is to tell him that when those vessels come there not to let them go. We can hardly do that in these days, though.

Secretary REDFIELD. But, Mr. Chamberlain, assume that to be true, the question is not as to the conduct of the collector in either case: the question is, what is the law? I think we ought to ask Mr. Quigley and yourself to take that matter up.

Mr. QUIGLEY. May I read this provision of law?

Secretary REDFIELD. Have you the law there?

Mr. QUIGLEY. Yes, sir. I will read R. S. 1954, on page 274 of the Bureau of Navigation publication, viz. The navigation laws.

The laws of the United States relating to customs, commerce, and navigation are extended to and over all the mainland, islands, and waters of the territory ceded to the United States by the Emperor of Russia by treaty concluded at Washington on the thirtieth day of March, anno Domini eighteen hundred and sixty-seven, so far as the same may be applicable thereto.

Now, that extends the navigation laws, as well as the customs laws over the Territory of Alaska.

Secretary REDFIELD. But is there a special statute provided for Alaska; and, if so, are those laws applicable thereto?

Mr. QUIGLEY. There may be special statutes under the customs laws.

Secretary REDFIELD. Perhaps it would take too long now to get the detail of it, but it appears to be the case, on the face of things, that there is a diversity of practice here which may, or may not, have a legal basis; and I think we can't do better than to trace it down. If there is a contradiction in our laws, that ought to be found; that's what we are here to turn up.

Mr. CHAMBERLAIN. It isn't really, Mr. Secretary, as I say, an essential conflict, because the situation that you described does credit to your very fertile mind; but you know as well as I do that it isn't likely to arise on the New England coast, where there are custom-houses all along the way; and, furthermore, ships don't stop at Gloucester on their way to farther ports. What the Alaska man is trying to do is this: Years ago, and I don't know, maybe it is so now, there used to be considerable laxity in the matter of smuggling, and particularly in the matter of smuggling strong liquor, which we are all against now, but there used to be a lot of that, and it used to be done by fishing vessels as well as by other vessels, and collectors did make those vessels come in there, and very likely they said, "We will let you go out so long as you report to us; we will let you go out and fish." Well, the collector had no right to do it. There is no doubt about that; if it has been done, it should be discontinued. This law is quite clear, and it applies to the Territory of Alaska just as much as it does to the rest of us.

Secretary REDFIELD. Unless superseded by special statute.

Mr. CHAMBERLAIN. Well, a special statute wouldn't hold because it would be a violation of the constitutional requirements. It couldn't be done.

Secretary REDFIELD. Then, Mr. Chamberlain, it seems to me it is our duty to inquire whether it has this bearing, whether this practice, which you suggest is an unlawful practice, possibly surviving from the ancient days of smuggling. If it has that bearing, we should inquire as to whether the American fishing trade in the Pacific coast has been injured, or has even claimed to be injured, by the privilege thus granted; and that has a distinct bearing upon the question, whether the request for the privilege upon the Atlantic coast, which has been thus far declined, carries with it a threat to the Atlantic interests. It has a very direct bearing on the matter, and I think it is very, very important. I wish you would ascertain for the conference whether this is the fact in Alaskan waters, whether, to your knowledge and to the knowledge of the bureau officials, there have ever been complaints as to the matter, and under what law the custom does exist; and, in short, throw the fullest possible light upon the entire transaction. Don't you think that would be a good plan, Mr. Sweet?

Mr. SWEET. Yes; but I should like to call attention to the fact that there is one difference between the two things—the Atlantic and the Pacific. The case of the *Croquet* and the other cases referred to involved the discharging of cargoes at American ports. The Ketchikan case, of course, did not. One matter that ought to be considered

in connection with this is, what would be the rule on the Atlantic side in case of a Canadian vessel putting into an American port on account of stress of weather and not discharging any cargo?

Secretary REDFIELD. Is it not the fact that the only question which is concerned here is the question of the right of clearance for the high seas? Now, I take it, under our law there is no objection to a Canadian vessel discharging her cargo in Ketchikan, coming from a Canadian port to Ketchikan, and the statement is made that the custom has been and still is to grant what is in all effect a clearance from Ketchikan, an American port, to the high seas. That is the only question, it seems to me, concerning the matter, a single narrow question. I think we ought to know whether that is the question. I think we ought to know whether that is the practice, under what law it is done, to what extent it prevails, whether it has caused complaint on the part of anybody, whether it is advantageous or disadvantageous, we must get at it.

Mr. CHAMBERLAIN. You say that at Seattle they allow Canadian vessels to come in and clear for the high seas?

Dr. SMITH. For the high seas.

Mr. FOUND. I wouldn't say absolutely Seattle, but certainly in Washington State ports.

Mr. CHAMBERLAIN. Well, that's all in one district.

Mr. FOUND. I know there have been cases of Canadian vessels going over and getting bait and going directly to the fishing grounds, or else I have been absolutely misinformed by the owner of the vessel who told me of the case.

Dr. SMITH. This may not be an important question, but it occurs to me just for the information it may elicit. Suppose an American vessel, propelled by steam, on her way to the Grand Banks, sails through the territorial waters of Nova Scotia. Is she obliged to enter at a port in Nova Scotia?

Mr. FOUND. No, sir.

Chief Justice HAZEN. Freedom of navigation.

Mr. FOUND. As long as she doesn't dock. She may come in and remain in port for 48 hours, if she doesn't dock; there isn't anything to prevent her from doing that. All we can do is to send policemen after her to see that she does not smuggle anything on board.

Secretary REDFIELD. If we have got that matter clear on the record we have done something.

Mr. FOUND. One of the things that has come before us, and very urgently, is that in view of that treatment of Canadian vessels in Alaskan waters it has been suggested, and strongly suggested, many times in Canada that as all the Seattle vessels go up through our passages in going up to the fishing grounds similar treatment should be required of them there. That has been suggested and pressed on many occasions, but we felt that there was no discrimination in Alaska, as you were requiring your own vessels to enter, too.

Secretary REDFIELD. Subject to further inquiry and information, the note is made for the consideration of the American commissioners, whether, in view of the freedom of passage of American vessels in Canadian territorial waters, consideration should not be given to a recommendation relaxing the requirements upon Canadian vessels passing through American territorial waters in Alaska.



Mr. SWEET. Alaska or anywhere else, for that matter.

Secretary REDFIELD. That is the only place it applies.

Dr. SMITH. I would like to develop as definitely as possible the necessity for the Canadian vessels bound out of Prince Rupert or other ports of British Columbia to pass through Alaskan ports.

Mr. FOUND. If you just glance at the map, you will see it. Going outside, they encounter the rough seas, just like the American vessels going outside Vancouver Island and the other isles: it is to get smooth water and make a quick voyage that they go inside.

Secretary REDFIELD. Make speed, in short.

Mr. SWEET. Also safety.

Secretary REDFIELD. Is there anything further, Mr. Chief Justice, you would like to ask Mr. Chamberlain?

Chief Justice HAZEN. No, sir.

Secretary REDFIELD. Anything you would like to ask, Mr. Desbarats?

Mr. DESBARATS. I was asking Mr. Chamberlain if he knows to what extent the same applies to fishing vessels. He said he would look it up.

Secretary REDFIELD. Have you any questions to ask Mr. Chamberlain, Mr. Found?

Mr. FOUND. No, sir.

Secretary REDFIELD. Mr. Chamberlain, we are very much obliged to you. Of course, it is understood that any of you will ask Mr. Chamberlain any questions you have in mind.

Mr. DESBARATS. Mr. Chamberlain said something about some special privileges that fishing vessels enjoyed in the way of salt: do those still exist?

Mr. CHAMBERLAIN. They had free rebate on their salt. That was given them as a sort of substitute for the bounty that they used to get, but my impression is that salt is on the free list for everybody, and has been for some years.

Secretary REDFIELD. What did that free salt mean?

Mr. CHAMBERLAIN. There used to be a heavy duty on salt and it was rebated. The salt was used in curing the products of American fisheries. It was a sort of a sop, you see. How much it amounted to, I don't know.

Secretary REDFIELD. Mr. Chamberlain, so far as your knowledge and the scope of your service go, have the American fishing fleet or the American fishermen any special legal privileges or advantages of any kind, or natural in some way?

Mr. CHAMBERLAIN. Not that I know of, under existing conditions.

Secretary REDFIELD. Is there any form of bounty or rebate in their favor.

Mr. CHAMBERLAIN. There is no bounty, and I don't know of any rebate. I don't know of anything that they have. As I say, they used to have this salt rebate, but that disappeared when salt was on the free list, and, of course, incidentally, the effect of the tariff was supposed to be in their favor: that is, the tariff on foreign-caught fish. The fish of the American fishermen were, of course—well, that doesn't exist any more, but I haven't the exact dates when those were changed. I think some of it was on the ordinary tariff.

Secretary REDFIELD. Mr. Quigley, are you aware of any laws granting special privileges to American?

Mr. QUIGLEY. I will read this one, on page 171, "Navigation Laws" (R. S. 4220):

No vessel belonging to any citizen of the United States trading from one port within the United States to another port within the United States, or employed in the bank, whale, or other fisheries, shall be subject to tonnage tax or duty, if such vessel be licensed, registered, or enrolled.

Secretary REDFIELD. Then, I understand from that that all such American vessels are free from tonnage taxes?

Mr. QUIGLEY. Yes, sir.

Mr. CHAMBERLAIN. That applies to coastwise vessels too. Tonnage taxes are really insignificant in this country.

Secretary REDFIELD. Let me ask you this question: Are Canadian fishing vessels entering our ports subject to a tonnage tax?

Mr. CHAMBERLAIN. They don't enter our ports, but when they do, as in Alaska, those ships have to pay 2 cents a net ton, and they have to pay that not more than five times a year; that is, if the same ship came in six times, it wouldn't have to pay anything for the sixth time.

Secretary REDFIELD. Are there any other fees or licenses that a Canadian vessel has to pay entering our ports that an American vessel wouldn't have to pay?

Mr. CHAMBERLAIN. The entry and clearance fees are the same. The bill of health was spoken of. There is rather a delicate question on that that has come up not in connection with British vessels, but in the case of Japanese vessels, and the collection of 20 cents fee for certificate of bill of health, and I believe it is collected on other foreign boats, but not on American ships.

Secretary REDFIELD. What I want to get at is whether there is or is not, and if there is, in what form it is, something to offset the claim that may be made as to the advantage of your bounty. We have already had facts placed before us to indicate that the bounty is not large. Now, if they pay a tonnage tax and we don't, I want to know what it amounts to. If they pay for a health service, I want to know about it. Now, what else is there? We want to get everything.

Mr. Quigley, if you find any cases where there are obligations of any nature or restrictions of any kind imposed upon the Canadian vessels, not imposed upon our own, will you please bring them to our notice, that we may have them made a matter of record and consideration?

Mr. QUIGLEY. Yes, sir.

Mr. FORD. There was one other point that I'd like to ask that came up in the discussion the other day. There were quite a number of United States fishing vessels that were transferred to the Canadian registry, and I was wondering if Mr. Chamberlain has the number available.

Mr. CHAMBERLAIN. I have the list of transfers; I don't know whether there were few or many.

Secretary REDFIELD. Mr. Chamberlain, will you furnish us the list of transfers?

Mr. CHAMBERLAIN. How far back would you like to have us go?

Chief Justice HAZEN. Three years.

Secretary REDFIELD. Mr. Chamberlain, suppose you take it for three years prior to the law which forbade such transfers under war conditions, so as to get a full three-year period of activities?

Chief Justice HAZEN. A number of fishing vessels just previous to that time were sold to the Canadian Government for patrol vessels.

Mr. FOUND. Can you tell for what purpose they were transferred?

Mr. CHAMBERLAIN. When they go out from our flag, that's the end of them on our records.

Mr. FOUND. If we can get the names of the vessels, we can get the rest of it.

Mr. CHAMBERLAIN. There were six that were transferred, because the owners said that under the rule that carried the crew space requirements of the seaman's law retroactively into ships that were already built, they could not operate their ships under our flag. So far as the future ships are concerned we can do that, but we can't rebuild these ships again. You may recall the cases. They were over in Connecticut—I have forgotten just where they were—and we had quite a full statement of them. They were sold in Canada; I don't remember the names.

Secretary REDFIELD. You give us back for three years prior to the prohibition.

Dr. SMITH. That would be 1914, 1915, and 1916.

Mr. QUIGLEY. Mr. Secretary, I have drafted a bill in connection with that lobster matter.

(Copies of bill distributed.)

Secretary REDFIELD. We shall now adjourn till 2.30 this afternoon, when we will call Gen. Uhler.

(Adjournment.)

#### AFTERNOON SESSION.

Mr. George Uhler, Supervising Inspector General of the Steamboat-Inspection Service, appeared before the conference.

#### STATEMENT BY GEORGE UHLER, SUPERVISING INSPECTOR GENERAL OF THE STEAMBOAT-INSPECTION SERVICE.

Secretary REDFIELD. General, it has been suggested that there is a difference in the requirements of your service and of the corresponding Canadian service, which may, as things now are, make their requirements not only as severe but possibly more severe than your own. I pointed out in that connection that by reason of the desire to expedite shipping during the war in every practicable way, there had been more or less modifications of our former extreme requirements and that at the present they were not what they were during the period of peace. The matter has reference to vessels propelled by steam—I think your service doesn't take under its scope vessels propelled by motors?

Gen. UHLER. Yes; over 15 tons, that are engaged in carrying freight or passengers. There is an exemption for motor fishing vessels, those that are engaged in fishing as a regular business. The Revised Statutes section 4426, referred to that, sir, quite particularly. If you care to hear it read, I will be glad to do so.

Secretary REDFIELD. I think it would be well to read it if it isn't too long.



Gen. UHLER. It might be well to explain that the first part of this, Mr. Secretary, incorporates in the requirements for inspection those vessels that were previously exempted. Instead of making a new bill they just picked up the ones previously exempted and put them in as a requirement.

(Statute 4426 read by Gen. Uhler. See Exhibit E, p. 369.)

Secretary REDFIELD. Now, what are the facts regarding such fishing vessels as go with power and what are the facts regarding steam trawlers that go to the fishing banks?

Gen. UHLER. The trawlers are not exempted; they come under the regulation of our service and are made to meet the requirements of ocean service for their particular class.

Secretary REDFIELD. What about the motor-driven vessels?

Gen. UHLER. I have no jurisdiction over that.

Secretary REDFIELD. You have no jurisdiction over what we know as a schooner with a motor in it, even those vessels of the larger type of the fishing fleet?

Gen. UHLER. It makes no difference what their size, sir, they are exempted if they are engaged in fishing as a regular business.

Secretary REDFIELD. Do you take any cognizance of their hulls?

Gen. UHLER. None.

Secretary REDFIELD. What supervision over their construction and condition is had by any public authority?

Gen. UHLER. None that I know of, sir, except the documenting of those vessels by the customs authorities.

Secretary REDFIELD. What inspection do they get from the classification society?

Gen. UHLER. I don't know whether they are built under the rules of any classification society, but if they are so built and are looking for class, they must meet, of course, the requirements of the special classification society that registers them and be built in accordance with their specifications, whatever they may be.

Secretary REDFIELD. Where are those vessels usually built?

Gen. UHLER. For the fishermen?

Secretary REDFIELD. Yes.

Gen. UHLER. Many of them are built at Essex, some on the Penobscot, and some in Boston.

Secretary REDFIELD. Do you know how they are insured?

Gen. UHLER. I do not, sir.

Secretary REDFIELD. As regards the steam trawlers, they come under regular ocean inspection?

Gen. UHLER. Absolutely, just the same as a cargo ship.

Secretary REDFIELD. How far have their inspection standards been modified during the war?

Gen. UHLER. None whatever regarding vessels now in service. There have been some modifications made regarding the testing and the inspection of steel entering into their boilers.

Secretary REDFIELD. New boilers?

Gen. UHLER. New boilers, and, of course, there has been some considerable change in the requirements—the experience required for officers' licenses, etc.

Secretary REDFIELD. Do you have anything to do with the licensing of the officers of fishing vessels?

Gen. UHLER. They have no licenses except those under our jurisdiction.

Secretary REDFIELD. Except as they may have one from some other employment? I mean the masters or other officers.

Gen. UHLER. The officers of motor fishing vessels are not required to have any certificate and likely would have none, except perhaps some of them might hold the certificate that we require from masters of sailing vessels of over 700 tons. It might be that some masters of fishing vessels hold licenses of that character and class.

Secretary REDFIELD. Then, if I understand you correctly, the fact is that the vessels of the fishing fleet are exempt from the inspection of your service?

Gen. UHLER. Yes; excepting the steam trawlers.

Secretary REDFIELD. And the officers of the fishing fleet are not obliged to take the examination which your service requires of the sailing vessels; that's correct?

Gen. UHLER. Quite right.

Secretary REDFIELD. Mr. Chief Justice, would you like to ask any questions?

Chief Justice HAZEN. I don't think so.

Secretary REDFIELD. Mr. Desbarats, would you like to ask Gen. Uhler any questions?

Mr. DESBARATS. Where does the line of inspection begin? The fishing vessels are exempted from inspection, but the steam trawlers are subject to the inspection. Now, where is the line of division between the vessels that are subject to the inspection and those that are not?

Gen. UHLER. The line is drawn by their class.

Mr. DESBARATS. The size?

Gen. UHLER. No; not size. It would make no difference what the size was of a vessel propelled by motor, if she was engaged regularly in the fishing business, under the provision of the law, she is exempt **from inspection**; she is exempt from any jurisdiction whatever of our service.

Secretary REDFIELD. Is it the fact, then, that it is because they are not steam vessels?

Gen. UHLER. Yes, sir.

Secretary REDFIELD. That is the point that he wants.

Gen. UHLER. If I may explain, Mr. Secretary?

Secretary REDFIELD. Go ahead.

Gen. UHLER. Before the advent of the motor vessel, under the laws of the United States, every steam vessel was required to be inspected. She was obliged to carry an engineer and a pilot, no matter whether she was 10 feet long, for pleasure purposes, or commercial purposes, and engaged in carrying passengers, every steam vessel, every steam vessel at least—to use the exact phraseology of the law—propelled, in whole or in part, by steam shall be subject to the provisions of this title, which is Title LII (52). In the advent of the motor boat, of the gasoline boat, this provision of the law, this section 4426, was amended by the addition of this provision requiring their inspection except when engaged in fishing as a regular business, which, as I remember, was the very positive stand taken by Senator Frye, representing a large constituency of fishermen, and Senator Hoar—I think

at that time he represented the State of Massachusetts in the Senate—and it was upon their representations, I believe, as I remember the legislation, that the fishing vessels were exempted. I might say it was mentioned that it might become necessary after a while to install motors in some of the larger boats and even in some of the smaller boats fishing inshore. That is the history of the legislation. Steam was left just the same as before until a few years ago.

Chief Justice HAZEN. What I don't understand, General, is this: Why a trawler, which is a vessel engaged in fishing, should be subject to inspection and another vessel of equal size as it engaged in fishing should not be. Is it because it is a steam vessel?

Gen. UHLER. Because it is a steam vessel and because of the supposition that the machinery is more intricate.

Chief Justice HAZEN. But, General, as I understand, all fishing vessels are exempted whether they are propelled by steam or not.

Gen. UHLER. Oh, no. All vessels of above 15 gross tons, carrying freight or passengers for hire, but not engaged in fishing as a regular business, propelled by gas, fluid, naphtha, or electric motor, that is, the general type of the motor boat, is subject to inspection.

Chief Justice HAZEN. But if a trawler was propelled by naphtha or fluid it would come under that, too?

Gen. UHLER. Absolutely.

Secretary REDFIELD. I think we have been endeavoring for some time to get the law modified to bring the motor boat more generally under inspection, though not perhaps in this particular detail.

Gen. UHLER. Or not for this particular size or class, as we have known the motor boat, but now that they are coming in, fifteen hundred or two thousand tons, we have endeavored to have more legislation covering the inspection and the requirements than they have to meet now.

Mr. DESBARATS. I was going to ask if in the case of fishing vessels propelled by steam they have to carry licensed engineers?

Gen. UHLER. Yes, sir.

Mr. DESBARATS. And licensed captains and mates?

Gen. UHLER. If she is more than 100 tons she has to carry a regular licensed master in addition to her certified mates.

Secretary REDFIELD. How many mates?

Gen. UHLER. Oh, depending largely on the size. I think the trawlers carry—that's governed entirely by the seaman's law—two mates if they go more than a hundred miles. That comes under 4463. If they go more than that—let me quote that. This is section 2 of section 4463 of the Revised Statutes, which is an amendment that was made about three years ago:

(Sec. 2 of sec. 4463 of the Revised Statutes read by Gen. Uhler. See Exhibit F, p. 369.)

Dr. SMITH. Those provisions apply to fishing vessels, steam trawlers?

Gen. UHLER. No; they are exempt. That section 4463 applies only to those vessels that are inspected by the service and that are under the jurisdiction of the service.

Secretary REDFIELD. That would apply to steam trawlers, then, wouldn't it?

Gen. UHLER. Yes, sir.



Secretary REDFIELD. Hold on for a minute; when you answered Dr. Smith "No," that was a mistake, you didn't understand what he meant?

Gen. UHLER. I didn't mean that the steam trawlers are exempt; that applies to them just as well. If I may make it plain in this way, Mr. Secretary, there is no exemption for any vessel except she be a fishing vessel equipped with a motor other than steam. The motor fishing vessel only is exempt: these vessels coming above 15 gross tons and carrying freight or passengers, come within the scope of the requirements for licensed officers.

Mr. DESBARATS. A fishing trawler, or a fishing vessel; now, let us take a western fishing vessel; she is not carrying freight for hire—does she come under this inspection here?

Gen. UHLER. A fishing vessel?

Mr. DESBARATS. A steam fishing vessel.

Gen. UHLER. Certainly so, sir.

Mr. DESBARATS. The term said "for carrying freight." Well, she is not carrying freight.

Gen. UHLER. That refers to the motor vessel. "All motor vessels of above 15 gross tons, carrying freight or passengers for hire, but not engaged in fishing as a regular business, shall be inspected and shall carry licensed engineers and mates."

Mr. DESBARATS. All steam vessels come under the inspection, then?

Gen. UHLER. Yes.

Secretary REDFIELD. Steam vessels of any kind?

Gen. UHLER. Unless they come in motor class of below 40 feet. She is then under the designation of a motor boat, and the act defines what is a motor boat. It must be less than 65 feet in length. She may be more than that, but if she is more than 15 tons she must be inspected.

Secretary REDFIELD. Mr. Desbarats, what is the rule as regards the Canadian fishing vessels with reference to inspection?

Mr. DESBARATS. Very similar to your own, Mr. Secretary. Any steam fishing vessel is subject to inspection of her machinery and inspection of her equipment. The vessels that are propelled by sails or by motor are subject to inspection of equipment, but they are not subject to the inspection of machinery.

Secretary REDFIELD. General, are fishing vessels subject to inspection of equipment by you?

Gen. UHLER. The steam vessels, yes; but the motor fishing vessel is without our jurisdiction wholly.

Secretary REDFIELD. Then I gather, Mr. Desbarats, in that respect your requirement, which involves that the Canadian vessel have her equipment inspected, is more severe than ours in that respect.

Mr. DESBARATS. Slightly. The inspection of the fishing vessel is not as severe as that of the trading vessel, but there is an inspection for equipment and they have to carry certain life-saving appliances.

Secretary REDFIELD. So that the question you asked this morning about the dories, Mr. Found—

Mr. FOUND. That's a vexatious one with us. Our fishermen who have dories are also required to carry lifeboats on the steam fishing vessels, and they themselves consider their dories very effective lifeboats. I was wondering if, on your fishing vessels, you likewise require them to carry sufficient lifeboats in addition to their dories.

Gen. UHLER. Yes; we have had that same question before us before. We won't recognize the dories as lifeboats.

Secretary REDFIELD. Do you require lifeboats on your fishing vessels as well as dories?

Mr. FOUND. I haven't come in contact with that side of it; I don't know any of our motor fishing vessels that are carrying dories, excepting the smaller ones on the Pacific coast. It is the bigger ones on which the question has arisen.

Secretary REDFIELD. Now, what I have got in my mind is to get the true balance of operation cost. For example, if it were shown, Mr. Chief Justice, that as against the bounty which has been spoken of, you were, through your equipment laws, requiring a fishing schooner or fishing vessel equipped with a motor to carry a lifeboat, which we did not, then your bounty is more than offset by the cost of the boat, and you have got the balance made clear. I think we ought to get before us, if we can, this afternoon, just what exact differences there are in the requirements, if any. What do you ask a boat, Mr. Desbarats, to carry, that is a motor fishing vessel of the same class as the Gloucester schooner?

Mr. DESBARATS. I am not as familiar with that act as I might be, as that doesn't come in my department. My impression is that on sailing vessels and motor fishing boats the inspection requirements are very light. It is for the protection of fishermen.

Mr. FOUND. Our fishers' act, so far as the equipment on fishing vessels is concerned, is for the fishermen's protection. I don't know whether there is an inspection act beyond this or not that applies to schooners. I might read this, section 63 of the fishers' act, section 8 of the Statute of 1914.

(Sec. 63 of the fishers' act, sec. 8 of the Statute of 1914, read by Mr. Found.)

Mr. FOUND. So far as the steam fishing vessels are concerned the question has come before me from a fisherman's standpoint, and I am not aware that it goes beyond that they are required to carry lifeboats in addition to their fishing dories; that is, those that are not steam trawlers, like our fishing vessels on both sides of the Pacific coast.

Secretary REDFIELD. Those that are not steam trawlers?

Mr. FOUND. On the Pacific coast all the larger vessels and steam fishing vessels carry dories.

Secretary REDFIELD. Ours are the same on the Pacific coast; the fishing vessels have to carry dories?

Gen. UHLER. Oh, yes.

Mr. DESBARATS. Ours is just the same as with you.

Secretary REDFIELD. It is my inference, from what we have heard, Mr. Chief Justice, that there is no substantial difference.

Chief Justice HAZEN. I would draw the same inference—that there is no substantial difference between the two countries in that respect.

Gen. UHLER. The inspection laws of this country, if I may suggest it, Mr. Secretary, are very similar to those of Canada.

Secretary REDFIELD. Now, General, how far does the seaman's law operate as regards fishing vessels?

Gen. UHLER. If I may quote it, Mr. Secretary, section 4516, under "Watches," the Revised Statutes of the United States are hereby amended to read as follows:

(Gen. Uhler read sec. 4516, under the heading of "Watches." He also stated that fishing vessels are exempt from the provisions of sec. 2 of the seaman's act, respecting hours of labor, etc. Sec. 2 was read by Gen. Uhler. See Exhibit G, p. 370.)

Chief Justice HAZEN. Perhaps the general could tell us briefly. Mr. Secretary, what provisions of the seaman's act apply to fishing vessels.

Secretary REDFIELD. Yes.

Chief Justice HAZEN. Are there any provisions in the seaman's act that apply to fishing vessels?

Gen. UHLER. Unless they are especially exempted, all the provisions of the seaman's act apply.

Chief Justice HAZEN. Would you tell us what there is in the seaman's act that would apply to fishing vessels?

Secretary REDFIELD. Mr. Quigley, have you reached that?

Mr. QUIGLEY. I will prepare a memorandum in that matter. (See Exhibit H, p. 371.)

Mr. DESBARATS. I was going to ask Gen. Uhler, as these fishing vessels are not subject to inspection, how are these requirements of the seaman's act enforced?

Gen. UHLER. It doesn't require that the Inspection Service enforce them; they are enforced by the customs officers and collectors.

Mr. DESBARATS. For example, if there is insufficient crew space on the vessel?

Gen. UHLER. In our inspection of a vessel, we determine the space and everything that comes under what might be termed the general inspection of the vessel, but there are several requirements of the seaman's act that can only be determined by the collector, and, in fact, the seaman's act explains in some detail what you must do and what you may do under certain circumstances.

Secretary REDFIELD. But that doesn't apply to fishing vessels.

Gen. UHLER. Unless they are specifically exempted, it does. Of course we wouldn't inspect vessels at that time. The provisions of the seaman's bill would have to be passed upon by the collector of customs.

Mr. DESBARATS. On a technical matter like that, I was wondering how it could be determined whether they lived up to it.

Gen. UHLER. It is not very technical. They say that they must have so much space for so many men, and not more than two berths in height, one berth over the other, and so much cupola space, etc.

Mr. DESBARATS. In ordinary ships, I presume that your inspection is very much like the British inspection. They would mark on a compartment "so many cubic feet authorized for so many men."

Gen. UHLER. That is done by the Bureau of Navigation, the marking of compartments.

Secretary REDFIELD. That's Mr. Chamberlain's service; they have the measuring of the ships.

Mr. DESBARATS. In connection with the inspection of steam machinery, it comes to us occasionally when American vessels apply for register that there is a difference; that while they could obtain register and have the machinery passed by American laws, they would have to change their machinery, under our requirements, and



add certain things. Now, I don't know whether you are familiar with any difference of that kind, or what the reason might be for those differences.

Gen. UHLER. I think that there is some difference in the laws of the two countries in that respect. We provide in our law that the boilers and machinery of any foreign-built vessel admitted to American registry may be accepted even though they do not conform to the rules and regulations of our construction and of our installation. Section 14 of the act approved March 3, 1897, provides for that exemption. I don't believe that the Canadian law gives to a vessel entering its registry that same privilege. This I am quite sure of, that any foreign vessel seeking Canadian registry, or securing Canadian registry will have the pressure of her boilers cut from 10 to 20 per cent, and they may cut the pressure as high as 25 per cent, if the boilers were not built under the Canadian rules and under Canadian survey. So that no matter how good the boilers are, whether they are new or old, it is within the judgment and the discretion of the Canadian surveyor—the Canadian inspector, in this instance—to say to the man arbitrarily: "Your pressure is cut 10, 15, or 20 per cent," or they are allowed to go up to 25 per cent, simply because the boilers are not built under the Canadian rules and under Canadian survey.

That, I am quite sure, is a fact. That comes to me not from any intimate knowledge of the law, but from our practice with Canadian inspectors on board, with which we are more or less familiar.

Mr. DESBARATS. It doesn't mean that the boiler is not as good as a boiler under Canadian inspection?

Gen. UHLER. No, sir; not at all.

Mr. DESBARATS. But it would mean that a vessel seeking Canadian registry would have to meet that.

Chief Justice HAZEN. Isn't it this, that vessels or boilers, when they are being built, are subject to the inspection and survey of the Government inspectors? You know then how they have been constructed as the work proceeds. The vessels coming in from the United States do not afford them the opportunity of inspecting them in course of construction in Canada, where boilers are being manufactured. Therefore, they reduce the amount of pressure that is allowed.

Gen. UHLER. Probably so. I don't know the motive, nor do I know the reason, but I know that the American law fully provides for that proposition on any vessel seeking American registration. We have provided for that by an act of Congress, by which we admit the boilers and give them what they are worth. Our rules and regulations have provided under this act of Congress that if there were no authentic record of the boiler and the material entering into the boiler, they would be given the value, if of steel, of 50,000; if of iron, of 45,000. We have so amended that now that if they furnish us with an authentic record of the material which entered into the boiler we give them the steam pressure that the tensile strength justifies, dependent, of course, upon the condition of the boiler.

Secretary REDFIELD. In other words, they could get the same rating that those same conditions would give an American boiler. Is that what you mean?

Gen. UHLER. Positively.

Secretary REDFIELD. I don't conceive, Mr. Chief Justice, that it is the natural way to safeguard unknown construction or life history by a reduction of pressure, and yet, I should think it was feasible to obtain a record of that life history by cooperation with Gen. Uhler's service, which has that history.

Chief Justice HAZEN. It would appear that it is more difficult than to transfer an American vessel to a Canadian registry than to transfer a Canadian vessel to an American registry.

Secretary REDFIELD. Yes; that would seem to be so. That's your understanding, isn't it?

Gen. UHLER. Quite sure, sir. At the time that that law was enacted, if I may continue, we admitted to American registry only those vessels which were wrecked upon the coast of the United States and which were salvaged by an American company, and upon which there had been expended in American shipyards 75 per cent of her ultimate value. But that has been changed, and, in order to naturalize, so to speak, the boilers and machinery of that vessel, it was necessary that this law be enacted to authorize the setting aside or the exemption from the law and the rules governing the requirements for material and for construction purposes.

Secretary REDFIELD. So far as this conference is concerned this applies to steam trawlers upon the Atlantic and to the steam fishing vessels of the Pacific. Let me ask, Mr. Found, if it is a fact that these vessels that were talked about as transferred in connection with *Prince Rupert* matters were steam vessels?

Mr. FOUND. I know of none, unless they are small ones, like gasoline.

Secretary REDFIELD. But it is a fact, is it—I don't know—that the usual seagoing fishing vessel of the Pacific is a steamer?

Mr. FOUND. All the bigger ones are; then there are some gasoline schooners and a number of boats that have gasoline power carrying three dories.

Secretary REDFIELD. Small boats?

Mr. FOUND. Yes, sir; they don't go far.

Gen. UHLER. Their sailing vessels are equipped with gasoline dories?

Mr. FOUND. Yes, sir; and some power boats that carry three dories that don't go to the northern banks.

Gen. UHLER. I might say, Mr. Secretary, I suppose they have the same condition in the Canadian service. The installation of a motor in a schooner at once changes the character of her from a schooner to a motor vessel, under this law. She loses her identity as a schooner and becomes a motor boat. No matter if she uses her motor once a week or once a month, once the motor is installed her character is changed in the presence of that installation.

Mr. DESBARATS. That holds with us also. Our legislation, in a general way, provides for all power-driven vessels, fishing vessels being exempt in the auxiliary vessels but not in the steam—very similar to your legislation.

Gen. UHLER. It seems to me that there is but little difference there.

Secretary REDFIELD. It has no particular bearing on our subject; but it is the fact, is it not, General, so far as you know, that the quality of the boats is kept up in good shape?

Gen. UHLER. Very magnificently.

Secretary REDFIELD. That, I understand, is true about the Canadian vessels?

Mr. FOUND. Yes; a vessel is considered old if it is 4 years old. There seems to be a competition to have the nicest looking vessels.

Secretary REDFIELD. We have vessels in the Lighthouse Service that are in perfect condition, 66 and 68 years old, just as good as when they were made, but they don't build ships out of that material now.

Any questions you would like to ask, Mr. Sweet?

Mr. SWEET. I understood the statement to have been made here two or three days ago that Canadian inspection laws for steam vessels were more rigid than ours. I would like to ask Gen. Uhler whether that is true—the inspection of steam vessels, machinery, and hulls?

Gen. UHLER. I think not, sir. There may be some difference in the rules. Our rules may be a little more drastic in details of boiler bracing, size of the braces, and the like of that; they may be a little more lenient in others, but as a general proposition I think that the steamboat-inspection rules and the laws of the United States are a bit more rigid and drastic than the laws or regulations of any other maritime nation. I say that because in the American service there is but little discretion given a surveyor for exemption, the laws are rather carefully enacted, the details are definite, and our rules and regulations are for the purpose of carrying into effect those laws, and in that way we have been rather drastic in some instances—not drastic, but going fuller into details. There are some instances where we are more drastic than Canada, and other places where they are a bit more drastic than we are, but as a general proposition—I am taking into account the whole scheme of steamboat inspection—I think the laws and the regulations are a bit more drastic than the inspection laws of any other maritime nation.

Mr. SWEET. The difference is not great?

Gen. UHLER. I think not, sir. If I may speak of the Canadian rules, you will notice in all of their rules that it is rather a combination of the best; that is, based upon the board of trade rules and the experience of the particular localities in their waters and Canadian service. The Canadian law has some of its regulations based upon Lloyd's deductions, others again upon the rules of the British board of trade, but generally we meet, so far as may be possible by our rules, the purpose of the section of law to which they refer.

Mr. SWEET. That answers the question.

Secretary REDFIELD. Dr. Smith, have you any questions?

Dr. SMITH. No, sir.

Secretary REDFIELD. Mr. Desbarats, have you anything to ask Gen. Uhler?

Mr. DESBARATS. I have no questions. The inspection of the hulls comes under your department, does it?

Gen. UHLER. Yes, sir.

Mr. DESBARATS. And the steam fishing vessels are inspected the same as other vessels?

Gen. UHLER. Yes, sir.



Mr. DESBARATS. Your inspection laws for hulls are very similar to those in Canada?

Gen. UHLER. I think there is but little difference. Our inspection is to determine whether or not the ship is being maintained in the condition that fits her for her work and makes her seaworthy, all that sort of thing, having in mind the original construction of the ship, so as to note deterioration, to note conditions of rust, loose rivets, etc. We examine the hull of every ship very thoroughly and also the double-bottoms. We go in the double-bottoms and examine her frame, her floors, her intercostals, etc., and then come out and examine the vertical members, particular attention being given to tank tops and such parts of the hull as are subject to extraordinary stress, noting particularly the condition of deterioration from original form.

Secretary REDFIELD. What is your rule for reinspection, General?

Gen. UHLER. The law requires that every vessel shall be inspected annually. In addition to that it is a department regulation that every vessel carrying passengers shall be reinspected at least three times during the period of her service, so that if the passenger vessel is in service for three months only she is reinspected three times to determine whether or not the equipment as required and which was on board at the time of the annual inspection of the vessel is being maintained in good shape.

Chief Justice HAZEN. That would not apply to fishing vessels?

Gen. UHLER. That only applies to passenger vessels. Freight vessels are subject only to additional inspection at the discretion of the inspector. He is authorized to go aboard at any time and note conditions.

Secretary REDFIELD. I think, while we are on that subject, our recent development of traveling inspectors might be interesting to you, Mr. Desbarats and Mr. Found, the provision of traveling officers, who are not in any way local inspectors, but who are to see how ships behave while they are in use. You have two now, have you not, General?

Gen. UHLER. We have two now; yes, sir; one on the Atlantic and one on the Pacific, who go aboard a number of vessels at any time or at any place and note conditions and report discrepancies or any unusual condition to the bureau.

Mr. FOUND. Stay on it for a voyage?

Gen. UHLER. No; not as yet. We haven't found it necessary.

Secretary REDFIELD. You mean for a transocean voyage; they stay on for a trip?

Gen. UHLER. Oh, yes.

Chief Justice HAZEN. From Baltimore to New York?

Gen. UHLER. Oh, yes; we have done that quite often. Now, he reports his findings to the bureau. We immediately send to the local inspectors who have inspected that vessel the report of the traveling inspector and call attention to these discrepancies or omissions as he thinks important and ask them why. They report back in nine cases out of ten—nineteen cases out of twenty—that it was in good condition when they were there; there were no omissions in the equipment; and if it was not there now, it was because it had been misplaced from the time of their last inspection.

Secretary REDFIELD. General, are you familiar with the question of accident insurance, as relates to the fishermen, at all?

Gen. UHLER. I am not; I have no knowledge of it at all.

Secretary REDFIELD. That is a very important thing.

Gen. UHLER. That's a matter, I think, of the Governments in connection with the operation of the fisheries. I don't know whether this same condition applies to the Canadian laws or not, but in our law reference to "the fisheries," and, in fact, in section 4131, where it refers to American vessels engaged in fishing, "the fisheries" as contemplated by the law refer only to the three fisheries—the whale, the cod, and the mackerel. Those are "the fisheries" that are recognized by the law in the determination of questions coming under such conditions as refer to the fisheries.

Chief Justice HAZEN. So that when you speak in that act of fishing vessels, you only mean vessels that catch whale or cod or mackerel?

Gen. UHLER. No; but in the recent law it refers to fishing vessels which is governed by the enrollment of a vessel. For instance, when a vessel is enrolled to engage in "the fisheries," she engages in the whale, mackerel or cod; I think that is correct.

Dr. SMITH. It is a rather unfortunate limitation, too, because in some statistics which were published a few years ago we had mackerel and cod vessels fishing out of Alabama.

Gen. UHLER. That's a fact. I only mention that as incidental to the whole scheme of fishing, but here we refer not to the vessels of the fisheries, Mr. Chief Justice, but to fishing vessels.

Chief Justice HAZEN. Mr. Chairman, it would appear from the very interesting evidence that Gen. Uhler has given us that there is comparatively little difference in the stringency of the inspection in Canada and the United States, but if it was thought necessary to pursue the matter further, we could bring before us the chairman of the Canadian board and he could give more accurate information than we can furnish here to-day.

Secretary REDFIELD. It has only this advantage to my mind that it corroborates and makes absolutely beyond all question the fact, and I think it might perhaps on that ground be well to do so. The thing could never be questioned any more if the chief of service in each country had made it perfectly plain.

Chief Justice HAZEN. Having in mind the point that has been suggested here in regard to the American fishing vessels registering in Canada, it would appear, from the statements, that it is far more difficult for the American vessels to get registered in Canada than it is for Canadian vessels to register here.

Secretary REDFIELD. She doesn't get as high a rating apparently.

Chief Justice HAZEN. No.

Secretary REDFIELD. I think we can discuss that when we get to Boston and see whether that is deemed necessary. My own feeling about matters of that kind is that one can hardly know too much, and that in some unexpected way occasionally you get light where you didn't at all expect it. Now, for instance, I think this morning a very clear example of that came up in the development of that old smuggling law out of Ketchikan. It came up in an unexpected way, but it is a very fertile sidelight on the situation. So that so far as feasible, without great inconvenience, if it is possible to

have your technical service aid in the inquiry, I think it is desirable.

(Adjournment till 10.30 a. m. following day.)

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TUESDAY, JANUARY 22, 1918.

The meeting was called to order at 10.30 by Secretary Redfield.

Secretary REDFIELD. I think perhaps at this point it is pertinent to read the telegrams, which I didn't know had been sent, but which Mr. Chamberlain handed to me this morning.

(Telegrams read. See Exhibit I, p. 371.)

I think perhaps at this point it is pertinent to read the telegrams, which I didn't know had been sent, but which Mr. Chamberlain handed to me this morning.

(Telegrams read. See Exhibit I.)

Mr. FOUND. I'd like to confirm the information on which I am acting. I have the record with me at the hotel, giving me the statement from the president or manager of the Canadian fishing company of his vessel's going to Washington State ports getting bait and going direct to the fishing grounds. I feel quite confident that that is done.

Secretary REDFIELD. I think, Mr. Found, that it would be very desirable if that letter could be made a portion of our record, if you have no objection to it, right at this point.

Mr. FOUND. I haven't got it with me, but I shall look it up before the next meeting.

Secretary REDFIELD. I wish you would, because I think we might just as well gather that subject into one place and clear it up—straighten it out.

Mr. FOUND. I think so. And if the information is not as clear and precise as I think it is, then I shall get it clear and place it before the conference before we are through with it.

Chief Justice HAZEN. It is perfectly clear they go to the fishing grounds direct from Ketchikan.

Mr. SWEET. Then they come into the Canadian port after they catch their fish.

Dr. SMITH. Mr. Found and I have worked over a resolution which is intended to express our view as to the protection of the sturgeon.

(Resolution prepared by Mr. Found and Dr. Smith read by Mr. Robertson. It follows:)

Whereas the sturgeons are individually by far the most valuable fishes inhabiting North America.

Whereas the supply of sturgeons in all waters in which the fishery has been active has been so materially reduced as to presage commercial extinction, which, in fact, has already occurred in certain waters.

Whereas it is evident that the measures heretofore adopted are entirely inadequate to arrest the rapid decline of the fisheries or even maintain the present greatly diminished supply: Therefore be it

*Resolved*, That this conference regards it as necessary that all sturgeon fishing in all the contiguous waters of the United States and Canada be suspended for a period of at least five years, and that each country should undertake to carry this purpose into effect by appropriate legislation or other official action.

*Resolved further*, That this conference strongly recommends the adoption by the appropriate legislative bodies of a similar prohibitory measure for non-contiguous waters.



(There was an informal discussion relative to the resolution at this point.)

Secretary REDFIELD. Are you ready for action upon the resolution? As many as favor the adoption of the resolution will signify by saying "aye"; those opposed, "no." The resolution is unanimously adopted.

Was there any further action on the part of the committee?

Dr. SMITH. We are not ready to report on the other matter that was referred to us. I would like to inquire whether Mr. Quigley is ready to report his draft of bill covering the lobster traffic on the Canadian coast.

(There was an informal discussion at this time relative to the provisions to be incorporated in draft to be submitted by Mr. Quigley pertaining to the lobster traffic on the Canadian coast.)

Secretary REDFIELD. Then the conference so understands the matter is referred to Mr. Quigley for drafting in that way. If there is no further business, I suggest an adjournment.

(Adjournment till 10.30 a. m. day following.)

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WEDNESDAY, JANUARY 23, 1918.

Mr. E. T. Chamberlain, Commissioner of Navigation, and Mr. Henry M. Loomis, of the United States Food Administration, appeared before the conference at the Department of Commerce, Washington, D. C.

The meeting was called to order at 10.30 a. m. by Secretary Redfield.

It would appear from the minutes that there is an item of unfinished business in respect to the letter to Judge Alexander and Senator Fletcher. Will you read what you have received?

Mr. DWIGHT. Mr. Secretary, I have to report that I wrote Judge Alexander and Senator Fletcher, and I have received a letter from Judge Alexander as follows. [Letter from Judge Alexander read.] No letter has come in as yet from Senator Fletcher.

Secretary REDFIELD. There is another item of unfinished business arising from the minutes. Mr. Quigley, have you the bill that was spoken of therein?

Mr. QUIGLEY. Yes, sir.

(Copies of draft of bill distributed.)

Secretary REDFIELD. I would suggest, Mr. Quigley, that you read the bill yourself, so that we may follow it through with care.

Mr. QUIGLEY. I might say, Mr. Secretary, before reading it, that I have made a change in the first provision, also a change in the fourth section. The change in the first provision concerned the violation of the act by persons who offer for sale, or have in their possession any lobsters unlawfully imported or landed in the United States. There may be persons, innocently coming into possession of such lobsters, who ought not to be subject to the penalty prescribed, and so I have inserted the words "knowing the same to have been imported or brought into or landed in the United States in violation of the act," which follows the language of other penal statutes of a like character forbidding the importation of certain articles. In the fourth section, I have included a provision giving the right to make searches which I did not have in the original draft.

Secretary REDFIELD. That's a good idea.

(Draft of bill pertaining to lobster fishing read by Mr. Quigley.)

Secretary REDFIELD. Any comments?

Discussion relative to the features of the proposed bill.

Mr. QUIGLEY. I would suggest, Mr. Secretary, in order to save a little time, that Dr. Smith, Mr. Found, the fish experts of the conference, and myself get together and adopt language that will cover the points discussed.

Chief Justice HAZEN. I think that is a good suggestion.

Secretary REDFIELD. The suggestion is made that the bill be referred for further consideration to a committee consisting of Mr. Found, Dr. Smith, and Mr. Quigley; if there is no objection, this will be considered the act of the conference. Is there objection? The Chair hears none.

Mr. DESBARATS. Mr. Chairman, in considering the draft of the bill, this committee might take into consideration the difficulty of obtaining evidence to prove that these lobsters were caught within whatever area is defined. If a ship comes in to an American port and the lobsters are seized, would it then be necessary to prove that those lobsters were caught within the prohibited area?

Secretary REDFIELD. I think the obligation would be on us to provide them with the evidence. I think our fishing patrol vessels will have to have instructions to look out for this.

Mr. FOUND. I have no fear at all, if we get this law, they will not try it. There are very few companies that are doing this, and if we could follow them into Boston Harbor and then provide the evidence, they wouldn't do it.

Mr. QUIGLEY. Mr. Secretary, May I ask whether the bill in every other particular meets with approval?

Secretary REDFIELD. Before this action is taken, which is not yet taken, in appointing this committee, your idea is to know if there are any further matters which should be brought to its attention?

Mr. QUIGLEY. Or anything further in connection with the bill.

Secretary REDFIELD. Have you any other suggestion, Mr. Chief Justice?

Chief Justice HAZEN. No.

Secretary REDFIELD. I think you might consider the suggestion made by Mr. Sweet as to whether it needs revision in regard to the penalty.

With the understanding that the two matters brought up will be considered by the committee and any others that may occur to them, is there objection to the proposal? The Chair hears no objection. It is unanimously agreed that the matter shall be referred to the aforesaid committee to report at their earliest convenience.

(At this point Secretary Redfield read telegrams exchanged between Mr. E. T. Chamberlain, Commissioner of Navigation, and the collector of customs at Seattle and Ketchikan respecting the granting of clearances to foreign vessels for the high seas. See Exhibit I, p. 371.)

Mr. FOUND. In the light of the subsequent telegrams, I may have placed a wrong interpretation on this telegram, though I think when I read it, you will agree with me that my interpretation, in the light of the information I had, was right. In August, 1916, when Sir Joseph Pope and myself were here in connection with the

Chamberlain bill that was then up, a somewhat similar question came up and I sent this telegram to our chief inspector of Fisheries for British Columbia, F. H. Cunningham. This was dated August 28, 1916.

(Telegram to Mr. Cunningham and reply thereto by telegram read. See Exhibit J, p. 372.)

Mr. FOUND. From that latter portion, I assumed, knowing what was being done in Ketchikan, that clearly what they did was that as it was more convenient and more economical for a Canadian vessel to go to an American port than to import bait, that it went to the American port and got bait and then went to the high seas. Now, in the light of that telegram, I can quite see that that need not be the case; that she might go to one of these places and clear back to Vancouver or to any of these places that would be on her way to the fishing grounds.

#### STATEMENT BY MR. E. T. CHAMBERLAIN, COMMISSIONER OF NAVIGATION.

Chief Justice HAZEN. Is there any law, Mr. Chamberlain, which requires a vessel that clears from an American port or Canadian port to proceed directly to the port it is to go to? For instance, to put an extreme case, a vessel would clear, we will say, from Boston for Halifax; is there anything to prevent that vessel from running over to the coast of Ireland, then coming back to Halifax?

Mr. CHAMBERLAIN. No; there is not; that would be an evasive clearance.

Chief Justice HAZEN. Well, if it could run over to the coast of Ireland, would there be anything to prevent it from catching a cargo of fish and coming back?

Mr. CHAMBERLAIN. As you see, that's a question; that's why I was a little careful; I started to say that was a "fraudulent clearance," and I said it was an "evasive clearance," and I am not entirely sure just how a court would rule on a matter of that kind. We might impose a penalty, but then it would be contested, and we might be wrong; such things have happened.

Chief Justice HAZEN. What would there be to prevent that vessel halfway across to Halifax from anchoring and catching fish and then going on to Halifax, presuming that you could catch fish there?

Secretary REDFIELD. What right has any country, the vessel having cleared under the law with intent to make the port of destination, to say what that vessel shall do upon the high seas enroute?

Mr. CHAMBERLAIN. There are considerable questions there, of course.

Secretary REDFIELD. You get at the root of the thing right there, it seems.

Mr. DESBARATS. When a vessel comes into port, does she not have to produce a manifest showing that that is really where she is coming from with that cargo?

Mr. CHAMBERLAIN. You are quite right about that, but in a case such as we have under consideration, would there be any cargo? Wouldn't it be a ship going in ballast, I would say? If she was a fishing vessel, she probably would be clearing just with her supplies, you know. Her manifest would be a blank, would be a purely formal matter, just clearing with her stores; and if she did happen to take



cargo for Halifax or for the Canadian port, I presume she would deliver that.

Secretary REDFIELD. It will be a very interesting question when we get to Boston to ask our friend, the collector of customs.

Mr. CHAMBERLAIN. That's the law, I take it, under which the Ketchikan collector has been acting, section 3109, Revised Statutes.

(Section 3109 read by Mr. Chamberlain. See Exhibit K, p. 372.)

Mr. CHAMBERLAIN. Now, that was modified by the act creating this department of February, 1903. And it is under that act, although its applicability to fishing vessels is far from being clear, as it appears from the other language of the act, that the Ketchikan collector has been acting in these cases, and I only recollect, which I could doubtless verify from the files, that at the time that act of 1898 was passed, there was no end of whisky smuggling on the Alaskan coast, both for the Indians and the white men, who, I think, had their share, too, and the instructions were very rigid to prevent that sort of thing going on, and the practice doubtless arose at that time of applying this to everything that came in.

There was a repeal by article 1 of the treaty of 1909 with Great Britain.

Secretary REDFIELD. The whole act?

Mr. CHAMBERLAIN. The whole act.

Secretary REDFIELD. What was repealed?

Mr. CHAMBERLAIN. I will have to look that up in the treaty, Mr. Secretary; I haven't it right in my mind.

Secretary REDFIELD. It seems to me that on the face of it the collector at Ketchikan was acting under an act which had been repealed by a treaty.

Mr. CHAMBERLAIN. I think so, too, but I want to verify that.

Secretary REDFIELD. Can you do that?

Mr. CHAMBERLAIN. Yes; when I go upstairs.

Secretary REDFIELD. We shall defer consideration of this matter then until Mr. Chamberlain returns.

#### STATEMENT BY MR. H. M. LOOMIS, OF THE FOOD ADMINISTRATION.

Secretary REDFIELD. Mr. Chief Justice, Mr. Loomis, of the Food Administration, is present, and, in order not to detain him, I ask that he will kindly step forward and take this chair.

I have asked you, Mr. Loomis, to be present, representing the Food Administration, because in considering the very important subject of the mutual relations of the Dominion of Canada and the United States on this important fishery question, one of the phases upon which opinion in both countries is alert and interested is the question of food supply. The questions we shall have to discuss take a new angle of vision from the facts which are alleged to exist concerning the food supply not only of this country and the Dominion of Canada, but of the countries which are more or less dependent upon us for their food supplies, and I'd be very glad to have you make to the conference any suggestions as to what the situation is that we may have before us in an official way, those facts in order that we may put proper weight upon them. Will you tell us, therefore, what the general food situation is, and especially whether you are making any effort to develop the fish supply or anything of that kind?

Mr. LOOMIS. Mr. Secretary, I'd like to say in opening that I have not come here at the advice of or after consulting Mr. Hoover; I have come solely on my own initiative, and I therefore do not want anything I may say to be taken as given by an official representing the Food Administration.

I have already told you Mr. Fowler is handling the fresh-fish division over at the Food Administration, and he has been there ever since, I think, the Food Administration started, and I am rather a novice at it, having just got there about the latter part of December. I think Mr. Fowler will be here before 12 o'clock, and I think it will be very nice if he can say something. I think these gentlemen are probably familiar with the very great shortage in the meat supply and the great demand for something to take its place in the menu and at the tables of the consuming public. You are all more or less familiar with the shortage in the meat supply. There is a great reduction in the number of cattle in this country. There is the diminishing of cattle on the ranges, the cutting off of the supply of meat to a large extent from Argentina by the war, and therefore it appears very necessary for us to look around for some source of protein, which is the essential food constituent of meat, to take the place.

It is very important that a great deal of our meat should be sent over to the nations who are allied with us in the war. That largely restricts us to products like poultry, eggs, and fish; that is, leaving out of consideration the leguminous foods, like beans and peas. I think the ordinary consumer desires and requires something related to meat, flesh, and there is nothing that can be more extensively developed, I think, to take the place of meat, than the fish industry. Therefore, I feel that it is a very important thing that anything that can be done to develop that industry should be done, particularly at this time.

Speaking for the canned-fish industry, the catch or output for this last season on the Maine sardines amounted to about 2,250,000 cases. In the case of salmon I believe the pack was about 8,500,000 cases; that would amount to about 425,000,000 pounds of salmon. I believe that that pack has already been taken up and there is not near enough supply to meet the demand.

I don't know that there is anything further I can say, Mr. Secretary.

Secretary REDFIELD. I think that puts the facts in very brief compass. Mr. Chief Justice, are there any questions you would like to ask of Mr. Loomis?

Chief Justice HAZEN. This market, I suppose, for fresh fish and canned fish can be increased to a very great extent, if you could get the fish to sell?

Mr. LOOMIS. Yes, sir; I think so.

Secretary REDFIELD. Mr. Desbarats, have you any questions?

Mr. DESBARATS. How does the matter stand now as to the relation between the supply of fish available and the demand which exists?

Mr. LOOMIS. As I say, my familiarity is only with the canned fish industry, and I know that the supply of salmon available—canned salmon—is very short of the demand, although there has been a very large pack this year, one of the largest; with one exception. I think it is the largest pack of salmon ever had.

Secretary REDFIELD. Do I get correctly from you, Mr. Loomis, the impression that you regard the supply of canned fish, and in so far as you are aware of fresh fish as unequal to the existing demand?

Mr. LOOMIS. As far as canned fish is concerned, it is unequal to the demand.

Chief Justice HAZEN. Do you know what the duty is on canned fish coming into the United States? Take sardines, for instance; they are put up on the Canadian side. Do you know what duty they would have to pay in order to send their product into the United States?

Mr. LOOMIS. I wouldn't be certain of that; I should have it at my fingers' ends, but I think it is something like a quarter of a cent a can and ad valorem. I wouldn't want to say that that is correct, though.

Chief Justice HAZEN. Do you know that that is correct?

Mr. LOOMIS. No, sir. I do know there is an ad valorem duty, but I don't know just how much it amounts to.

Chief Justice HAZEN. Well, the sardines that are put up on the coast of Maine are caught in Canadian waters chiefly, are they not?

Mr. LOOMIS. I should say 70 per cent of the fish are caught in Canadian waters.

Chief Justice HAZEN. Well, the fish are admitted free into the United States?

Mr. LOOMIS. Yes, sir.

Chief Justice HAZEN. But when it comes to the question of fish that are canned in Canada, there is a duty?

Mr. LOOMIS. I believe so.

Chief Justice HAZEN. On the cans and on the value of the products?

Mr. LOOMIS. Yes, sir.

Dr. SMITH. I would like to say, Mr. Secretary, that Mr. Loomis has been particularly identified with the canned-fish business, and especially on the coast of Maine in connection with the sardine industry, where he has instituted a system of inspection which has resulted in great good to the industry. Up to the time Mr. Loomis went in there was no inspection, no coordination or standardization of the pack of Maine sardines; since then the industry has taken on a new life, and Mr. Loomis is largely responsible for it.

Secretary REDFIELD. I think, Mr. Loomis, we didn't get your name in full.

Mr. LOOMIS. Henry M. Loomis.

Secretary REDFIELD. And do you hold any official position in connection with the Maine fisheries?

Mr. LOOMIS. I am now connected outside of the Food Administration with the National Cannery Association as director of sardine inspection, and during this winter I have volunteered for work in the Food Administration, while the season is closed up there in Maine.

Secretary REDFIELD. Mr. Found, any questions?

Mr. FOUND. No, sir.

Secretary REDFIELD. Mr. Sweet?

Mr. SWEET. I have no questions.

Secretary REDFIELD. Thank you very much, Mr. Loomis. Will Mr. Fowler be here?

Mr. LOOMIS. He said he would be here later on.



## STATEMENT BY MR. E. T. CHAMBERLAIN—Continued.

Secretary REDFIELD. Resume, Mr. Chamberlain.

Mr. CHAMBERLAIN. The section that I just read, section 3109, you will recall, began, "The master of any foreign vessel, etc." It is applicable to foreign ships; it is not applicable to American ships.

Now, the first article of that treaty of 1909 to which I referred, the treaty between the United States and Great Britain relating to boundary waters between the United States and Canada, signed at Washington, January 11, 1909, reads:

(First article of treaty read by Mr. Chamberlain. See Exhibit L, p. 372.)

Mr. CHAMBERLAIN. Now, so far as British ships covered by the treaty are concerned, there is an evident conflict between the two. It is possible that in that footnote to the navigation laws—and that book, of course, is rather a popular book for the convenience of ship captains more than anything else—that treaty might be regarded as not a self-executing treaty. We have two kinds of treaties, as you know, self-executing and those that require legislation to give them effect, and I don't know how the State Department would regard that; that is a matter for them to determine, but there is a palpable conflict there.

Secretary REDFIELD. It appears to be the fact that the collector at Ketchikan is requiring Canadian vessels to do under this law that which a subsequent treaty provides they shall not be obliged to do.

Mr. CHAMBERLAIN. Unless it is done to our ships.

Secretary REDFIELD. Now, the question arises, What form does the requirement take? Do you know, Mr. Found?

Mr. FOUND. I am afraid that treaty doesn't apply. You see, the preliminary article defines what boundary waters are.

(Preliminary article read by Mr. Found. See Exhibit M, p. 373.)

Mr. FOUND. I noticed that footnote, but I knew this treaty, and that we had not ground for claiming that that treaty abrogated this provision so far as Alaskan waters are concerned.

Secretary REDFIELD. These particular waters are not covered by the treaty.

Mr. FOUND. I am afraid not, sir. These are the Lake waters and all the waters contiguous to the Lakes.

Chief Justice HAZEN. Do you mean to say it doesn't cover waters along the coast?

Mr. FOUND. For the purposes of this treaty, boundary waters are defined as:

(Article read by Mr. Found. See Exhibit M.)

Secretary REDFIELD. Expressly excludes the ocean.

Mr. FOUND. In set terms it doesn't apply to the ocean.

Secretary REDFIELD. So the old law stands.

Mr. CHAMBERLAIN. Yes, sir.

Secretary REDFIELD. So, then, you have got a condition?

Mr. CHAMBERLAIN. Except in so far as the footnote applies to the Great Lakes, as well as to Alaska. It is not applicable to this situation.

Secretary REDFIELD. Yes. So, inasmuch as the treaty does not apply, that old law stands?

(Mr. Quigley read from the United States Compiled Statutes, 1916, vol. VI, p. 6884, referring to Revised Statute, sec. 3109, as amended February, 1898, entitled "Report by Masters of Foreign Vessels." See Exhibit N, p. 373.)

Mr. QUIGLEY. From the statement contained in this volume, it would appear that section 3109 as amended by the act of 1898 is still in force?

Mr. CHAMBERLAIN. Yes.

Mr. FOUND. That's the section you are reading?

Mr. CHAMBERLAIN. Yes.

Secretary REDFIELD. There seems to be no doubt this law is still in force.

Mr. CHAMBERLAIN. So far as this question is concerned, yes.

Secretary REDFIELD. That merely gets upon the record that the latest official publication shows that law is still in force.

Chief Justice HAZEN. And it applies to the northern, northeastern, and northwestern frontiers; it wouldn't apply to the Atlantic?

Secretary REDFIELD. It, therefore, seems to be the case that the law requires the collector at Ketchikan to do that which the collector at Boston is not permitted to do. I am sure we will have a very interesting session with the collector of customs at Boston, Mr. Billings.

Dr. Smith, have you ever heard, or has it been brought to your knowledge or to your observation in any way, any complaint on the part of American fishing vessels that this procedure took place in Alaska, or any complaint on the part of Canadian fishing vessels that they were obligated in this way?

Dr. SMITH. I have never heard any complaint on either of those points.

Secretary REDFIELD. Has any suggestion been made to your knowledge that the procedure here involved either worked injury to the American fishing vessels or was either an advantage or the reverse to the Canadians?

Dr. SMITH. I have heard no comment on it.

Secretary REDFIELD. In other words, so far as you know, this thing has proceeded at Ketchikan without arousing antagonism, so far as you know?

Dr. SMITH. Or any special comment.

Secretary REDFIELD. What is your viewpoint, Mr. Found?

Mr. FOUND. My experience is in accord with that of Dr. Smith; I may only add that, while I have thought of it a great many times and have discussed it in the department, we have always felt that, as the law required American vessels to do that which the Canadian vessels were obliged to do, we had no ground for raising any question.

Secretary REDFIELD. All questions are treated alike there, but in substance it is the fact, it is the existing practice to give a formal clearance, whatever it be, which does permit and has for a long time permitted a Canadian vessel to take the clearance from an American port under which she does, in substance, go without complaint and question direct to the fishing grounds; that's so, isn't it?

Mr. FOUND. Yes.

Secretary REDFIELD. And that custom has gone on, although known, for a great many years, hasn't it?

Mr. FOUND. Yes.

Dr. SMITH. And an additional interesting fact about this subject, Mr. Secretary, is that these clearances have been given in many cases immediately after the Canadian vessels have taken on bait.

Secretary REDFIELD. Oh, yes.

Dr. SMITH. The obvious purpose of the clearance is shown.

Chief Justice HAZEN. The collector knew that they were fishing.

Secretary REDFIELD. Now, then, let's get another fact, for I think we are unfolding things here that are of great value. What is the relative importance in weight of catch of the Pacific fisheries covered by this matter and of the Atlantic fisheries?

Mr. FOUND. Halibut fisheries of the Pacific coast are now down pretty low; they amount to about 42,000,000 pounds, speaking from recollection—that is what they amounted to last year. In money value that would be a good deal higher than the same thing on the Atlantic coast. Even at the prices that prevailed last year, 3½ cents—that's what the fisherman got; they would cost a good deal more than that—that's hardly a fair basis.

Secretary REDFIELD. The thought is really to get the relative idea—if it is twice, three, four, or five times—whatever it is.

Dr. SMITH. It is fifteen to twenty times the halibut catch on the Atlantic.

Secretary REDFIELD. Let us say that we agree, for a general statement, that the halibut catch of the Pacific is many times that of the Atlantic?

Mr. FOUND. Oh, yes.

Secretary REDFIELD. Now, are there any other fisheries there other than the halibut which are involved in this question; and if so, what relation would those bear?

Chief Justice HAZEN. I think, Mr. Found, if you would take our fisheries statistics and show what the value of the fisheries in British Columbia and Nova Scotia and New Brunswick is that that would give the information pretty well.

Secretary REDFIELD. Yes.

Mr. FOUND. In British Columbia, salmon fishing is the biggest.

Secretary REDFIELD. That isn't concerned. You see here very plainly the thing I am striving at. If it shall appear, for example, that the thing has gone on harmoniously and effectively, then the plea that this must not be done has small weight. That is so obvious that we ought to get this established in such a way—let us assume that a Gloucester or a Boston man objects strenuously to this thing; if we can then show that this fellow on a very much larger scale is not only not suffering but may be actually prospering under this thing, why, where does Mr. Gloucester man "get off," to use a familiar phrase?

Mr. FOUND. Halibut landed in British Columbia last year would come to considerably over \$2,000,000 in value. Those landed by American fishing vessels that were shipped in bond and those landed by Canadian fishing vessels which were sold would be about—well, I'd have to consider that.

Secretary REDFIELD. Wouldn't it be well to put upon the record the request to you and Dr. Smith to submit to the conference a comparative statement at your convenience which would show the relative value of the fisheries affected by this procedure, the actual procedure upon the Pacific coast and the proposed procedure upon the



Atlantic coast, both as to number of vessels and persons involved, pounds of catch, and value of catch? Then we'd know what we are talking about. Is that acceptable to you, Mr. Chief Justice?

Chief Justice HAZEN. I think that would be very valuable.

Secretary REDFIELD. With that understanding, we will let that matter rest.

Mr. Chamberlain has placed in my hands a list, Mr. Chief Justice, of fishing vessels sold to aliens during the calendar years 1914, 1915, and 1916, which gives details as to the rate, name of vessel, gross tonnage, port from which last documented, foreign flag, to which place transferred, and date of sale within a fixed quarter. (See Exhibit O, page 373.) I suggest that, if you approve, this be made a portion of the official record in the case, subject to such discussion and corrections as we may see fit. I would suggest that Mr. Desbarats, from your own record, procure a kindred statement, in order that we may compare the two carefully.

Chief Justice HAZEN. These are not all necessarily fishing vessels, are they, Mr. Secretary?

Mr. CHAMBERLAIN. Under fishing licenses at the time they were sold.

Secretary REDFIELD. I assume that it would be quite possible to give definite explanation of a number of these.

Mr. FOUND. We are anxious to get these so that we can follow them. The feeling is that very few of these have gone into fishing in Canada.

Mr. CHAMBERLAIN. We have no record of that, of course.

Chief Justice HAZEN. We may be able to supply records showing what business these vessels have gone into.

Secretary REDFIELD. I think it is quite important that that be done, because, in the absence of the other half of this, it is apt to be used mistakenly.

Then we understand that this statement (see Exhibit O) is made a portion of the record for further discussion and information.

Mr. FOUND. When we get to Boston we can take up the matter of what they have gone into.

Secretary REDFIELD. Now, Mr. Chamberlain, I think we may excuse you.

Mr. CHAMBERLAIN. Before that, however, I'd like to make just one statement supplementary to what I said, namely, that I couldn't recall whether that treaty was self-executing or not. The Attorney General has ruled that it is self-executing. Another thing: Chief Justice Hazen inquired as to the northern, northeastern, and northwestern frontiers. In our statutes that always applies to the Great Lakes. It is applicable to the Great Lakes; but you will notice that this statute that we are talking of was specifically—in 1898—made applicable to Alaska. It wouldn't have applied to Alaska under the description of northern, northeastern, and northwestern frontiers.

Secretary REDFIELD. Does it apply to anything in the Atlantic?

Mr. CHAMBERLAIN. Nothing in the Atlantic. It was made applicable by a particular act to Alaska; but in all statutes where that designation is used it applies to the Great Lakes.

Chief Justice HAZEN. Then, a vessel passing through your territorial water along the coast of Maine and Massachusetts wouldn't

have to report in the same way that these vessels in Alaska have to report to Ketchikan?

Mr. CHAMBERLAIN. No.

Chief Justice HAZEN. It doesn't in any way include the Atlantic ports?

Mr. CHAMBERLAIN. It does not.

Mr. ROBERTSON. May I ask a question? I understand you to have brought out from Mr. Chamberlain that this article of the treaty revised the statute, although it says that any freight arriving, whether by sea or otherwise, in the waters of the United States from any waters of the United States adjacent to the northeastern or northwestern frontiers of the United States—that that does not apply to the Atlantic coast.

Chief Justice HAZEN. That's what Mr. Chamberlain tells us.

Mr. ROBERTSON. I understand you to have brought that out quite clearly.

(Mr. Chamberlain is to look further into this matter and report on the particular feature of the statute brought out by Chief Justice Hazen and Mr. Robertson, as to whether it applies only to the Great Lakes.)

Secretary REDFIELD. Is there anything, Mr. Chief Justice, that you wish particularly to bring before us to-day?

Chief Justice HAZEN. Not that I have personally; have you anything Mr. Found?

Mr. FOUND. This won't take more than a moment, Mr. Secretary: it is that resolution that Dr. Smith and I were directed to draft. Shall I read it, sir?

Secretary REDFIELD. Yes.

(Resolution prepared by Dr. Smith and Mr. Found relative to halibut fishing read by Mr. Found. See Exhibit P, page 374.)

Mr. FOUND. It is so recommended.

Dr. SMITH. That is very comprehensive.

Mr. FOUND. We thought it was best to give the argument.

Secretary REDFIELD. Very thorough labor.

The resolution, with its recommendation, is before the conference for discussion, if that is desired. Mr. Chief Justice, have you any suggestions?

Chief Justice HAZEN. I think the resolution sets forth the argument in its favor very clearly.

Mr. DESBARATS. I think the resolution is quite clear. I don't know if there is any object of our saying what we have been doing already in the way of developing this market: that we are at the present time paying the freight or express charges on these particular fish from the Pacific port up to any point west of the eastern boundary of Vancouver—that is to say, all the western Provinces, everything west of Ontario—so as to encourage the sale of these fish: practically wipe out the freight charge, so that the fish can be taken down to the various inland points at a very low rate.

Secretary REDFIELD. As far as the west border of Manitoba?

Mr. DESBARATS. The eastern boundary.

Secretary REDFIELD. I have taken a very keen personal interest in this work that Dr. Smith and his service have carried on, because it has been in its way a very practical example of doing a great work

with small means, and a happy union of the scientific and the practical.

Chief Justice HAZEN. Before we separate to-day, Mr. Secretary, I was going to suggest that I think it would be very desirable from many standpoints, and we'd appreciate it very much in Canada, and I think it would tend to the promotion of good relations, if, before we are through with this conference, we could have a meeting at the city of Ottawa, the capital of Canada. Such a meeting might take place after we returned from the Pacific coast. We could go there early in March. The Parliament of Canada will be in session at that time, and I know the people of Ottawa and the members of the Government would be only too delighted to have the pleasure of meeting the American members of this conference; and the fact that we held a meeting in Ottawa, I think, would have a very good influence. I therefore throw out the idea for your consideration, Mr. Secretary, and we hope it will be possible for you to consider it favorably.

Secretary REDFIELD. We should certainly be very much gratified to accept it; if the opportunity is afforded, it would be a great delight. (Adjournment till 10.30 a. m. of the following day.)

THURSDAY MORNING, *January 24, 1918.*

Hon. J. W. Alexander, chairman of the Committee on Merchant Marine and Fisheries, of the House of Representatives, appeared before the conference at the Department of Commerce, Washington, D. C.

The meeting was called to order at 10.30 o'clock, Chief Justice Hazen, of Canada, presiding in the absence of Secretary Redfield.

#### STATEMENT BY CHIEF JUSTICE HAZEN.

Chief Justice HAZEN. We have the pleasure of seeing Judge Alexander here this morning. Perhaps it would be well for me to just briefly state to Judge Alexander what the conference has been doing and the purpose of it.

The judge, of course, is aware that under the treaty of 1818, which is the only treaty in effect to-day with regard to fisheries, that American fishing vessels are permitted to come into Canadian ports for four purposes—for shelter, repairs, wood, and water.

Negotiations took place for a treaty in 1888; the terms of the treaty were agreed to between the commissioners. However, that treaty was not ratified by Congress. That treaty provided that in exchange for the free admission of Canadian fish into the United States, that American fishing vessels should be given very much extended privileges in the ports and waters of Canada. Pending the consideration of that treaty by Congress, a *modus vivendi* was entered into under an act passed by Canada, under which the Government of Canada issued licenses to American fishing vessels which enabled them to come into our ports for many other purposes—to buy bait, tranship their fish, to ship crews, and practically gave them the same privileges in our ports that the Canadian fisherman retained.

That was entered into pending the decision of Congress with regard to the treaty which would give us the free admission of our fish



into the United States in exchange for these privileges that we were giving American fishermen in our ports. That treaty was not, however, ratified by the Government of the United States, but we have continued year by year for a period now of 30 years, in Canada, to pass an order in council extending the privileges granted to the American fishermen under that *modus vivendi* license. For that license the American fishermen pays a fee of \$1.50 per registered ton of the vessel in which he engages in fishing.

Some time ago it was suggested to the Government of Canada by the Government of the United States that, as fish are now admitted free into the markets of the United States under the present tariff, the Government of Canada ought to extend the privileges given under the *modus vivendi*. Under that *modus vivendi* the privileges are only given to vessels that are propelled by sails. At the time it was originally entered into that was the method by which fishing vessels were propelled. The United States suggested that, as to-day conditions are entirely changed and the fishing vessels are now largely propelled by steam or gasoline the *modus vivendi* should be extended to vessels of that character.

In reply to that the Government of Canada pointed out that, while under the treaty at Washington these privileges were to be given, although there is now free admission of fish, it is not a permanent arrangement but is simply a matter of tariff policy subject to change of policy by the administration that is in power for the time being in the United States. It was also pointed out that, while fish were admitted free yet our fishermen are not given the advantage of that to the full extent, because they are not allowed to take their catches of fish directly into the United States markets from the fishing grounds, but have first to proceed to a Canadian port and their either transfer their fish into a trading vessel or have their fishing vessel taken over and registered as a trading vessel before proceeding to a port in the United States; and on the other hand, when its cargo has been disposed of in the United States port, this vessel is not allowed clearance for the fishing grounds, but has to clear for a Canadian port and thence proceed to the fishing grounds, thus causing a very considerable degree of delay.

There are also questions in connection with the rights of United States vessels in Canadian ports on the Pacific coast of a somewhat similar character. The question of the protection of the Fraser River also arose, and finally the outcome of the communications that passed between the two Governments was that the Government of the United States suggested that a commission be appointed in Canada to meet with a commission of the United States for the purpose of considering these matters and other outstanding fishery questions between the two countries.

One of the questions that we called attention to and thought should be settled at the same time that these other questions were being settled—if they could be settled, as we most earnestly hope and believe they can be—was with regard to protection of the lobster on the Atlantic coast: all along the Atlantic coast from New Brunswick and Nova Scotia, we have certain closed seasons, during which lobsters can not be caught within our territorial waters.

We find, however, that our efforts to protect the lobster in this respect are to some extent interfered with, owing to the fact that

during the closed season on our coast, vessels described as lobster-well smacks, registered in the United States, and belonging to citizens of the United States, come across and catch lobsters just outside of our territorial waters and put these lobsters into the wells that they have in these smacks and carry them back to the American market, and if the weather is rough, at night, they go into our ports under the provision of the treaty of 1818, which allows them to come in there for the purpose of shelter. The result of that, of course, is obvious. Our fishermen are not permitted to fish in the territorial waters, and, in fact, we have prohibited fishing altogether during the closed season. You can readily understand the irritation it causes them, when they look out of their doors and windows and 3 or 4 miles away see the vessels of the United States catching those lobsters, which they are prevented from catching in order to protect that industry for the future.

Those in brief are the questions before the conference. There are other questions that have arisen. There is the question about the protection of fish in Lake Champlain. It seems to be almost the converse of the lobster question on our coast, because in Lake Champlain the fish seem to resort for spawning purposes to the part of the lake which is in Canada, and it seems that we should enforce more drastic laws than at present in order to protect the fish in the spawning beds, so that they may continue to exist in the lake and be caught by those citizens of the United States who engage in the business of fishing.

There are certain other questions regarding the protection of the sturgeon that have come before us for consideration, and, in view of all these different matters, I may say that the very first day we met, when we stated the position of affairs about the lobsters, Secretary Redfield gave instructions to the assistant solicitor of the Department of Commerce, who is here, Mr. Quigley, to have a bill prepared at once for submission to Congress, so as to prevent that state of affairs existing any longer; and Secretary Redfield suggested that it would be a good idea—and we all approved of the suggestion—if you could come here and give us the benefit of your advice regarding these matters, which, we were sure, would be very helpful. We thank you very much, knowing how busy a man you are, for having come here this morning.

#### STATEMENT BY HON. J. W. ALEXANDER, CHAIRMAN OF THE COMMITTEE ON MERCHANT MARINE AND FISHERIES.

Judge ALEXANDER. I am chairman of the Committee on Merchant Marine and Fisheries, the committee which has jurisdiction of fisheries questions, but only in so far as they relate to our domestic waters. The questions like those you are dealing with now, when they come before Congress for consideration, would probably be referred to the Committee on Foreign Affairs in the House. I think that has been the course of legislation in the past. I am not at all familiar with the conditions on the Atlantic coast, as regards our fisheries, and I am only conversant with them to a limited extent in the northwest Pacific.

In the last Congress the Committee on the Merchant Marine and Fisheries framed a bill to regulate the fisheries of Alaska, but that

bill has no international aspects. It is intended, of course, to conserve our fisheries from the standpoint of food supply off the Alaskan coast, to prevent the waste now prevalent, and to increase the fish; and the Bureau of Fisheries, of which Dr. Smith is the commissioner, and the Secretary of Commerce, Mr. Redfield, have taken a very keen interest in conditions there, and we have had the benefit of their expert advice in framing legislation. We will have that question to deal with again in this Congress, unless it should go over on account of war conditions. But I would think that with our relations so intimate and our interests for the most part in common, that if each nation would approach the other in a spirit of fairness and square dealing that it would be no trouble to get together and frame a convention that will be fair to both nations and conserve this great food supply, because every year it becomes of greater importance from the national viewpoint.

I am very glad to be here for a few minutes this morning. I assure you of my interest in the matters with which you are dealing, and I appreciate their importance to both nations. I hope, as a result of this joint conference, you may work out a convention that will be mutually satisfactory and that will meet the approval of the Senate of the United States—it is the censor of all such matters finally—and of the Canadian Government. I thank you for the privilege of being here.

Chief Justice HAZEN. It appears to be the opinion of the members of this conference that there are really two questions, and they ought to be kept separate and apart, as far as possible, so as not to confuse the issue. One is with regard to the right of American vessels in Canadian ports and the right of Canadian vessels in American ports; and our opinion seems to be tending in the direction that that is a matter that can be dealt with without a treaty—by legislation.

Judge ALEXANDER. That question would come to my committee for consideration, and I will say that all those questions that come to the Committee on the Merchant Marine and Fisheries will, I think, receive very careful consideration.

Chief Justice HAZEN. The other question is the one about the protection of the Fraser River, which is the breeding ground for a great many of the salmon on the Pacific coast, the salmon that is known as the sockeyes, especially. Fish in the Fraser River have been decreasing from year to year. This in consequence of the excessive amount of fishing that takes place. The fish in making their way to the Fraser River for the purpose of spawning go up through American territorial waters for a very considerable distance and in those waters traps are placed with great leaders and jiggers. I think they call them, Mr. Found—

Mr. FOUND. Yes.

Chief Justice HAZEN (continuing). Running out from them. I don't know whether you have ever seen them, Judge Alexander, or not.

Dr. SMITH. He knows what a jigger is from his consideration of the pending Alaskan legislation.

Chief Justice HAZEN. From what I saw in 1913 it was a mystery to me how the salmon got up the river in any numbers. Then, too, the unfortunate salmon that does get as far as the river itself is faced with a fleet of 2,500 or 3,000 boats, each boat with a net, and



these nets drifting criss cross across the river from the estuary right up the river to almost the bridge at New Westminster, and practically the only chance that the salmon has of getting to the spawning grounds is during the weekly closed season. I think it is 42 hours. And that is the only opportunity it has of getting up to the spawning beds.

Well, the result of that is being seen now. The catch in 1917, which is the big year (every fourth year is a big year), was very much less than the catch in 1913, and there is very great danger of a very valuable fishery, which is of great importance to the people of both countries, being destroyed, unless some drastic steps are taken for its protection. In order to do that the opinion of the conference is that it may be necessary to have a treaty instead of doing it by legislation, as the fisheries in the State of Washington are under the control of the State and in Canada the fisheries are controlled by the federal power. It would be very difficult, but not impossible. I think, for the Government of Canada to make an arrangement with the State of Washington; it would have to be done as a national matter on national grounds. The idea is that it would have to be the subject matter of a treaty.

Judge ALEXANDER. I think that is true, and as regards Alaska, well, we will have the same problem off the coast of Alaska. Heretofore the trap nets have all been so placed that the fish couldn't get up to the spawning grounds, and one purpose of this legislation is to locate them away from the mouth of the streams, so that the fish may have free access to the spawning grounds. That is one of the problems we are trying to solve by legislation.

Chief Justice HAZEN. The object of an agreement would be that in the United States adequate measures should be taken for the protection of those fish on the way up to the river; in Canada adequate measures should be taken for the fish to be protected on their way up the river to the spawning beds; and in connection with that it might be most desirable that in order to replenish the river steps should be taken for the establishment of an efficient system of fish hatcheries. We are maintaining some fish hatcheries on the Fraser River now. That work might be very much extended, and we believe it would be most desirable, but would not be effective unless regulations are adopted and enforced to protect the fish on their way to the spawning beds. The opinion of the conference seems to be that the agreement should include protective measures on both the American and Canadian sides. In view of our mutual interest it should be a matter of agreement between us, and what we agree to should be embodied in a treaty, and the treaty should not simply say that we will take adequate steps to establish proper fishing methods and you to protect the fish on the way up the coast, but we should agree as to what those adequate steps are, so that there can be no question about it.

Judge ALEXANDER. I think that is correct. Now, of course, these States control the fisheries. Take the shad fish. I think Dr. Smith will agree with me that off the coasts of Virginia and Maryland they extend their nets and other fishing tackle in such a way that the shad can't get up to the breeding grounds in the streams, and it is resulting in great hurt to the propagation of the shad, and if the Govern-

ment could control the matter I think we ought to take steps to have that done rather than leave it for these States.

Chief Justice HAZEN. I presume you mean that the States are too close to the fishermen to control the matter.

Judge ALEXANDER. Political influence seems to control.

Dr. SMITH. Mr. Chairman, if I may speak at this time, the most pressing matter for legislative consideration seems to be this lobster fishing off the Canadian coast, and I would suggest, if agreeable to all of you, that this bill which has been prepared and has been before us several times be submitted to Judge Alexander, with the view to ascertaining whether or not, in his opinion, that measure would come before his committee.

Chief Justice HAZEN. Yes.

Dr. SMITH. It would seem to be a matter that could be regulated through your committee, Judge Alexander, inasmuch as it does not involve any international action.

Judge ALEXANDER. That goes without saying. If you are correct in your statement, it would come to the Committee on Merchant Marine and Fisheries.

Dr. SMITH. It regulates our own fishermen and has nothing to do with the operation of Canadian fishermen in the same waters.

Chief Justice HAZEN. Do you suggest that we should submit that bill now?

Judge ALEXANDER. If his statement is accurate, I have no doubt about where the bill would go.

Chief Justice HAZEN. Perhaps Mr. Quigley will read the bill. It might be subject to a few minor changes.

(Mr. Quigley read the bill in its form up to this time.)

Chief Justice HAZEN. Mr. Sweet, have you anything that you would like to ask the judge?

Mr. SWEET. I think not. I would simply like to say to the judge this, that from the explanation that has been given by the chief justice, presiding over this meeting, and what he knows of the personnel of the United States section of the commission, I rather imagine that he will feel that it is not at all strange that we are finding our conference very harmonious and that we are all seeking most conscientiously to reach a conclusion that will be satisfactory and advantageous to the people of both countries and will remove all the petty causes of irritation that have existed in the past, so that we have every reason to believe that our conference will result in something worth while.

Judge ALEXANDER. Well, I observe such, and with Secretary Redfield and yourself to represent our Government, I think the attitude of the United States toward this question will be one of open-mindedness and fairness and disposition to do the square thing.

Mr. SWEET. Well, the Canadian representatives are in every way as fair and just, so far as the proceedings have gone thus far, as the United States representatives.

Judge ALEXANDER. I have no reason to think otherwise, and I hope the results will verify what you both say.

Chief Justice HAZEN. Anything either Mr. Desbarats or Mr. Found would like to ask?

Mr. FOUND. I'd just like, if the chairman will permit me, to add that our reason for having brought this lobster matter so promi-

nently out is that it is being mainly carried on—I think that adverb is the right one—by Canadian fishermen. These American smacks come down with no one but the captain and the engineer and hire the Canadian fishermen to carry on the fishing for them, so that you will see the embarrassing situation down among the local fishermen.

Chief Justice HAZEN. We thank you very much, indeed, Judge Alexander, for coming here this morning: we appreciate it very much.

Mr. QUIGLEY. Mr. Chief Justice, if there isn't any further business before the meeting I would like to fill in the interval with a little discussion of the language that I referred to a little while ago in connection with this bill.

Chief Justice HAZEN. Yes; I think this is the opportune time for that.

(An extended informal discussion followed. The bill as finally drafted reads as follows:)

A BILL To prohibit the importation, bringing into, or landing in the United States, and so forth, of lobsters taken in waters outside territorial waters of Canada and opposite thereto during closed seasons in such waters.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That on and after the approval of this act it shall be unlawful for any vessel, boat, person, or corporation to import or bring into or land in the United States any lobsters taken or caught in waters outside territorial waters of Canada and opposite thereto during such period as there is, under the laws or regulations of the Dominion of Canada, a closed season for lobster fishing in such waters, or for any person or corporation to offer for sale or have in possession any such lobsters, knowing the same to have been imported or brought into or landed in the United States in violation of this act.

SEC. 2. Any person or corporation violating any provision of this act shall, for the first offense, upon conviction thereof, be punished by a fine of not more than \$3,000, and any lobsters found in his possession in violation of this act shall be forfeited to the United States; and upon the conviction of any such person or corporation of a second or any subsequent offense, in addition to the fine and the forfeiture hereinbefore provided for, any boat or vessel used or employed in any violation of this act, together with its tackle, apparel, furniture, and cargo, shall be forfeited to the United States.

SEC. 3. Any violation of this act shall be prosecuted in the district court of the United States in the district in which such violation shall occur or in which the offender is found.

SEC. 4. It shall be the duty of the Secretary of Commerce to enforce the provisions of this act, and he is authorized to empower such officers and employees of the Department of Commerce as he may designate, or such officers and employees of other departments as may be detailed for the purpose, to search any vessel in ports or places in the United States suspected of having violated the provisions of this act, and to make arrests and to seize vessels used or employed in the violation of this act and any lobsters unlawfully imported brought into or landed in the United States.

(It was unanimously voted by the conference that the bill should read as just quoted.)

Chief Justice HAZEN. Here is a letter from Mr. Chamberlain, a memorandum for Secretary Redfield:

I was wrong in stating so emphatically that the act of 1898 amending section 3109 does not apply to the Atlantic ports of the United States. It would apply if cases arise in such ports, which is seldom, if ever, so far as I am aware, the case. The act of 1898 was designed to meet Alaska conditions. To cover both the seaboard of Alaska and the Yukon and Stikine Rivers, the words "by sea or otherwise" were incorporated in the amendatory act. Those words extend the act to Atlantic ports.



I hasten to correct my misstatement, into which I was led by reflection solely upon the purpose of the act of 1898 and by the fact that I have no record of a case under the act ever having come to my notice.

I inclose full memoranda on the act of 1898. (See Exhibits Q to U, pages 375-378.)

Respectfully,

E. T. CHAMBERLAIN, *Commissioner*.

JANUARY 24, 1918.

So he is now evidently of the opinion that that act does apply to the Atlantic coast.

Mr. SWEET. Here is a copy of a letter that was received from the Secretary of the Treasury, and he has red-lined a part of the letter.

Chief Justice HAZEN. This is a letter dated February 9, 1898, addressed to the Hon. William P. Frye, chairman of the Committee on Commerce, United States Senate, and signed by L. J. Gage, Secretary of the Treasury. This is the part that is marked by Mr. Chamberlain:

Section 4, section 3109 of the Revised Statutes, is part of an act passed in 1866. The treaty for the purchase of Alaska was made in 1867. There is some doubt, therefore, whether section 3109 is applicable to Alaska. This bill makes it specifically applicable. The insertion of the words "transfer her cargo or passengers to another vessel" is necessary, as sea-going vessels at St. Michael do not "proceed farther inland." There is not enough water; accordingly, they transfer. The section is a necessary supplement to section 3 of the bill, as it fixes the penalty on the vessel for violation of the regulations.

Well, anyway, that applies to the Atlantic coast, in the opinion of Mr. Chamberlain, but he says the cases never arise.

(Discussion relative to Boston meeting and adjournment.)

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FRIDAY, *January 25, 1918.*

The meeting was called to order at 10.30 o'clock, Chief Justice Hazen, of Canada, presiding.

As there was no further business before the conference, adjournment was taken to meet in Boston on January 31, 1918.

## HEARINGS AT BOSTON.

Boston, *January 31, 1918.*

The Boston hearing of the American-Canadian Fisheries Conference, to consider the questions in dispute between the United States and Canada, were begun in the Boston Chamber of Commerce at 10 o'clock a. m.

The representatives of the two countries present were:

Canadian: Hon. John Douglas Hazen, Chief Justice of New Brunswick; Mr. William A. Found, Superintendent of Fisheries of the Dominion of Canada; secretary—Mr. Arnold Robertson, First Secretary of the British Embassy at Washington.

The Hon. George J. Desbarats was absent because of illness.

American: Hon. William C. Redfield, Secretary of Commerce; Hon. Edwin F. Sweet, Assistant Secretary of Commerce; Dr. Hugh M. Smith, Commissioner of Fisheries; secretary—Edward T. Quigley, Esq., Assistant Solicitor of the Department of Commerce.

Hon. William C. Redfield, Secretary of Commerce, presided.

Among those interested in the work of the commission who were present at the hearing in Boston were the following:

Hon. W. W. Lufkin, Member of Congress; Hon. Charles D. Brown, State senator, of Gloucester; W. G. Adams, chairman of the Massachusetts Fish and Game Commission; Arthur L. Millett, of Massachusetts Fish and Game Commission; Horatio D. Crie, Edward W. Gould, and H. C. Wilbur, Maine Commission of Sea and Shore Fisheries; E. O. Ladd, operating herring weirs, Pickering Island, East Penobscot Bay, Me.; A. L. Parker, Boston, president Boston Fish Pier Co.; Capt. Carl C. Young, Gloucester; Sylvester Whalen, secretary Fishing Masters Association, Boston; W. J. O'Brien, president Boston Fish Markets' Corporation; H. B. Ritchie, Boston fish commission merchant; Wilmot A. Reed, secretary Gloucester Board of Trade; John W. Fullom, member Boston Fish Pier Co.; C. K. Sullivan, fish dealer, representing New York fishing interests; William H. Brown, Boston, secretary Fishermen's Union; M. A. Nickerson and A. L. Powell, of the Boston Lobster Co.; Fred L. Davis, president Gloucester Board of Trade; George E. Willey, president Boston Fish Bureau; C. F. Wonson, Gloucester Board of Trade; D. F. Ward and T. J. O'Hara, of the Boston Fish Pier Co.; Newman Shea, agent Fishermen's Union at Gloucester; ex-State Representative William F. Doyle; John Burns, jr., Bay State Fish Co.; Henry Yotte, manager marine department Bay State Fish Co.; Frank S. Willard, of Portland, Me., lobster business; O. M. Arnold, president New England Fish Co.; Gardner Poole, Boston Fish Bureau; J. G. Cox, of the Consolidated Lobster Co.; W. Monroe Hill, of Shattuck & Jones, Faneuil Hall Market; Lunis Leavens, commissioner of fisheries and game, Vermont; D. A. Loomis, superintendent Lake Champlain

Transportation Co. and president Lake George Steamboat Co.; Roy L. Patrick, Vermont Fish and Game League; Joseph A. Rich, of the Bay State Fishing Co.; and John W. Titcomb, New York State fish culturist.

### OPENING STATEMENT OF HON. WILLIAM C. REDFIELD.

Secretary REDFIELD. Gentlemen, please be seated. The Canadian-American Fisheries Conference has met here through the courtesy, which we desire to acknowledge at the very beginning, of the Boston Chamber of Commerce for the purpose of giving a full opportunity to any who may so desire to express their views upon the subject which the conference has under consideration. The conference had its origin in facts which must be widely known to you all. In this great war the people of Canada and the people of the United States are fighting side by side for one common cause. The enemy which threatens them is the foe which endangers us. They have been longer in the field than we; they have made greater sacrifices than we thus far for the common cause, and because it is a common cause, because we are thus united in a struggle upon which the future of both nations alike depends, it was deemed wise by the Government of the United States to extend to the Government of the Dominion of Canada an invitation that that Government and our own discuss together in the same spirit of mutual concord which is animating our armies all the questions that may remain open connected with the fisheries both upon the Atlantic and the Pacific coasts, as well as the Lakes, that the fullest possible light may be thrown upon the facts bearing upon all these questions. It is desired that the fullest opportunity may be given to everyone who wishes to do so to contribute facts throwing light upon the subject in all its phases, in the hope, and, judging from the progress of the conference thus far, in the belief, that it will be possible to remove the causes of irritation wherever they may be found to exist, continuing in that spirit of mutual good will which is leading their sons and our sons to die together on one common field of battle to-day.

This conference meets, furthermore, under other circumstances which are peculiar. We are giving to the question of our food supply a degree of thought which it has never been given before, and the temper of the public mind of America is one which will not very readily brook a future which interferes with the largest freedom in obtaining that food supply. The question with us, therefore, is not only a question concerning New England or any portion of New England, but is one affecting St. Louis, Chicago, Spokane, New Orleans, Nashville, Buffalo—cities South, North, East, and West—in a vital way, all communities being deeply concerned.

We must not, therefore, think of this in any sense as a local matter. It is a national matter. We are dealing with a very sensitive public conscience and a very well-informed public mind on the subject of a national food supply, or, I should say more truly, the subject of an international food supply.

It is the purpose of the conference to hold hearings in Gloucester, in the Maritime Provinces of Canada, and ultimately to proceed to the Pacific Northwest and to British Columbia, if not to Alaska.



This, gentlemen, is to be open diplomacy. So far as my knowledge goes, it is a unique courtesy that the Canadian Government has done us, not only in sending of its best but in permitting them, at our invitation, to sit in our own hearings. They are here with all the privileges that the commissioners of the United States have, to give information and to ask it. They are as free to ask questions of you as we are, representing the United States more directly, and they will gladly give information to you. Through their courtesy they have extended to us the same privilege of going into their country, a unique courtesy, one which we value highly, and the American commissioners here present expect next week to be with our Canadian brethren in St. John and wherever else in Canada the necessities of the case may call us.

I think nothing more need be said by way of introduction. We have no program, but are ready to listen to any one who may desire to lay facts before us. We shall ask you to be prepared, if you make suggestions to us, to submit to questioning. We are here not in anybody's interests; we are here to get the truth, and we intend, so far as lies within our power, to get the truth, no matter whom it may affect, no matter what its results may be. We are not here to protect or defend any person, interest, party, or organization, but to represent, so far as lies in our power to do so, all the people of the United States at large. Our friends, on their side, are here to represent the people of the Dominion of Canada at large; and we will ask you, so far as lies in your power to do so, to remember that the broad view of the question, the countrywide view of the question, the view that affects the dwellers in the Mississippi Valley as much as it affects the people in New England and along the Atlantic coast, is the viewpoint from which, in this world crisis, it seems important to deal with this question.

Chief Justice HAZEN. I would like an entry made in the minutes, Mr. Secretary, to the effect that our colleague, Mr. George J. Desbarats, deputy minister of the naval service of the Dominion of Canada, is unfortunately unable to be present to-day by reason of illness, a fact very much regretted by Mr. Found and myself, who will be deprived of Mr. Desbarats's valuable services. I am sure also that his absence will be regretted by the members of the American section of this commission, who had the pleasure of meeting him in conference in Washington recently. I hope and expect, however, that his indisposition is of only a temporary character and that he will be able to resume his duties in a very short time.

Secretary REDFIELD. The minute that Mr. Chief Justice Hazen requests will be made. The American commissioners, who have had the pleasure of Mr. Desbarats's assistance in Washington, very greatly regret his illness and join in the hope that it may be but brief. What is the pleasure of the gentlemen present? Is anybody ready to proceed with any statement or expression of views?

Mr. SYLVESTER M. WHALEN (secretary of Boston Fishing Masters' Association). Mr. Chairman, I think it would be very helpful if the chairman of the commission would outline any concrete propositions that might be considered in respect to this question or toward which any discussion might tend. Of course, we want to avoid an aimless discussion of the fisheries in general, and I think it would be very helpful to people here if some concrete facts could be put before us.

Secretary REDFIELD. The chairman will say that the only reason why a definite announcement was not made is because neither the purpose of the commission nor its scope is limited to any particular program nor to any particular phase of the matter under consideration. We are ready to hear anything on any phase of the matter. Our discussion in Washington has run from the halibut banks off the coast of Alaska to general conditions down the coast. We have talked about the Fraser River, have talked about the whale fishing off the Pacific coast in its present form, about the Great Lakes, about Lake Champlain, the Lake of the Woods, and about the Atlantic coast, considering these questions in their various relations. There is no phase of the whole subject about which we are not anxious to learn all that can be learned. But if it can be clearly understood in advance that in putting before you any subject we are not thereby imposing limitations upon anybody who desires to speak upon anything else, if that is perfectly plain, I shall be very glad indeed to say that, as set forth in the notice sent on the 24th instant to the New England fishing interests, it was stated that these subjects were before the conference, and, among others, they will be made the subject of inquiry.

1. The proposed extension of the Canadian *modus vivendi* licenses to American fishing vessels, by whatever means they may be propelled, and the reduction of the annual fee from \$1.50 per registered ton to the nominal sum of \$1 per vessel and that the renewal of the licenses from year to year be not conditional on an order in council of the Government of Canada, but form part of the arrangement itself.

2. That United States fishing vessels be allowed to sell their fish in Canadian ports for Canadian markets, subject to customs duty, as well as to sell in bond.

3. That Canadian fishing vessels be allowed to purchase bait and all other supplies and outfits in United States ports on equal terms with American fishing vessels.

4. That Canadian fishing vessels be allowed to take their catches direct to United States ports and sell them there, subject to customs duty, if any.

5. That the fishing vessels of either country visiting ports in the other be given clearances for the fishing grounds, if so desired.

6. That the United States prevent American lobster well smacks from fishing off the Canadian coasts during the closed season for lobster fishing on such coasts.

I think that covers the substance of the memorandum, but it is not in any sense to be taken as either inclusive or exclusive. We have discussed other matters and are ready to do so now. The question of the Canadian bounties is one that has been frankly discussed; the whole question of the constructions of law in either country upon its own vessels or the vessels of others; the whole matter of the relative wages and standards of living. All those questions have been discussed and are open for discussion. So the whole subject is open. We should like light upon any one of these matters.

Take for example, if you wish, the fact that under the present *modus vivendi* American vessels with power are not given licenses in Canadian ports, that for the licenses which are given a fee of \$1.50 a ton is now required, and that both of these propositions are now

proposed to be waived; that, on the other hand, the suggestion is made that Canadian vessels may clear from Boston direct to the fishing grounds and come direct with their catch from the fishing grounds, the whole weight and bearing of the Canadian bounty, so far as it exists; all the conditions that you understand affect the conditions of the industry favorably or unfavorably.

Is there anything you care to suggest, Mr. Chief Justice?

### STATEMENT OF CHIEF JUSTICE HAZEN.

Chief Justice HAZEN. I presume, Mr. Secretary and gentlemen, that the gentlemen who are gathered here together this morning are principally interested in the question of the Atlantic fisheries, and not in the question of the protection of the Fraser River, except to the extent that all people in this country interested in food supplies are interested generally in the protection of that river, as they are also interested from the same standpoint in phases of the question affecting the Pacific coast. But I presume those here are more directly interested in what is known as the Atlantic-fisheries question, which is one that has been discussed from time to time practically ever since the War of 1812.

It is unnecessary for me to point out to the gentlemen here interested in the fishing business that the only rights which the fishing vessels of the United States have in the ports of Canada, except temporary ones, are given to them under the treaty of 1818, which is still in force, under which treaty the fishing vessels of the United States have a right to enter Canadian ports for four purposes, and for four purposes only—for shelter, for repairs, to obtain wood, and to obtain water. Those are the only rights that are secured to-day under treaty to American fishermen in Canadian ports.

Attempts have been made from time to time, and negotiations have taken place between Canada and the United States with that end in view looking to a more permanent and satisfactory arrangement than exists to-day; and sometime, about 1886 or 1887, a treaty was entered into which unfortunately, I think, looking at it in the light of past events, did not receive the approval of the Congress of the United States, providing that, in exchange for the free admission of Canadian fish into the markets of the United States, United States fishing vessels should have the right to go into Canadian ports practically as freely and for the same purposes that Canadian fishing vessels can go into those ports to-day. That is, they could go there for the purpose of selling their catch, for the purpose of buying bait, for the purpose of shipping crews, and for any other purpose that the fishing interests might think desirable. Unfortunately, I say, that treaty did not receive the sanction of the Congress of the United States; but, pending the consideration of the treaty by the Congress of the United States, Canada enacted legislation, and it was expected that that legislation would only require to be effective for a year or two until the treaty was agreed to, under which a *modus vivendi* was established by means of which, upon the payment of \$1.50 per ton for the registered tonnage of the vessel, the American fishermen took out a license which gave him the right to enter the ports of Canada for other purposes than the four purposes named in the treaty of 1818—namely, for shelter, repairs, wood, and water.



Although that proposed treaty I have referred to was not confirmed by Congress, for 30 years, annually, that *modus vivendi* has been renewed. Year by year for the past 30 years the Government of Canada has passed an order in council each year extending the operation of the *modus vivendi* for another year, and under that *modus vivendi* United States fishing vessels have been making use of Canadian ports over and above the rights secured by the treaty of 1818.

That has been by no means, of course, a stable arrangement. It has been entirely within the rights of the Government of Canada each year to decline to renew the *modus vivendi*, and then the United States vessels would have to depend on the rights secured to them under the treaty of 1818.

Some years ago a change was made in the United States tariff under which fresh and frozen fish were admitted free to the markets of the United States, and after the tariff was changed in that respect representations were made to the Government of Canada by the Government of the United States asking them if they would not consider it proper and right that, in view of the fact that they were now obtaining the free admission of fish into the markets of the United States, the *modus vivendi* prevailing should be extended so as to include all fishing vessels, and not simply the fishing vessels that are propelled by sail, which is the law of to-day. As it is to-day, only those vessels whose motive power is the wind have the right to come to our ports under the *modus vivendi*. The vessels whose motive power is steam, or some other motive power such as gasoline, vessels with auxiliary power of different sorts, are not allowed to take out a license under the *modus vivendi*.

In answer to that representation on the part of your Government, we pointed out that the admission of fish free into the United States was not a concession to the people of Canada, but that it was the outcome of a general tariff policy adopted by your country; that it was not under a treaty made with us, but that the same privilege was extended to the whole world, to Newfoundland and to any other country from which fish might come; that it was simply a matter of domestic policy with you, and a policy that you might revoke at any time that it occurred to you that it was to your interest to revoke it and place a protective tariff against fish coming from other countries. We further pointed out that, under your customs and navigation laws, we were not getting the benefit that would otherwise accrue from the free admission of fish, because our vessels that went to the Banks to catch fish could not bring those fish into the port of Boston or any other port of the United States along the Atlantic coast; that they were first obliged to go to a Canadian port and there either transfer their fish into a merchant vessel or change their own register, getting themselves registered as a trading vessel, and then coming to the ports of this country. We further pointed out that our vessels, having discharged their fish in American ports, could not clear then for the fishing grounds; that they were compelled to clear for a Canadian port, and from that port to the fishing grounds, thereby causing considerable delay, seriously limiting their power to bring rapid cargoes of fish to your market.

We further pointed out that we were having difficulty in protecting the lobster industry which unfortunately has become a waning industry. It is becoming very difficult to protect it. We have been

endeavoring to protect it by the use of closed seasons, but unfortunately our jurisdiction extends only to 3 miles from the shore, and just beyond our territorial limits, at certain times, when our closed season is in effect, well smacks from the American side have come across, and, lying just outside the three-mile territorial limit, have caught lobsters, while our own fishermen could look out from our shores and see the Americans catching the lobsters outside the three-mile limit that our men would not be allowed to catch within the law; and, what has heightened the dissatisfaction and caused irritation among our people, is that American vessels have come there simply with a captain and engineer, from an American port, and have hired our own fishermen to go on those vessels and help violate our own laws passed for the protection and conservation of lobsters, laws which are as necessary for you as for us.

We, therefore, suggested that this whole matter was a matter for consideration. We believe, as has been pointed out by the Secretary of Commerce, that it is most desirable at the present time that everything should be done to conserve our food supplies, to develop our fisheries, especially at such a time as this, when we are fighting side by side, your sons and mine giving their lives on the fields of Flanders and France for the sake of democracy, and for the sake of the protection of Canada, and, as was said in an article in Munsey's the other day, for the sake of the freedom and prosperity of the people of the United States.

This seems to be the opportune time for us to get together and, regardless of the past, make an arrangement that will be in the interest of the people of both countries, of the people of the whole North American Continent.

We are here to-day for that purpose. I have been requested by the Government in Canada to serve on this commission, because for a period of six years I was minister of marine and fisheries of the Dominion of Canada and had to do with making the negotiations that led to the present conference.

I think we are now to see a new step taken in the diplomatic relations between the two countries, as pointed out by Secretary Redfield. As commissioners, representing both countries, we are meeting here together in Boston, and probably in other parts of Massachusetts, to hear what the people interested in the subject here have to say, and when we leave here we are to have the pleasure and honor of being accompanied to the maritime provinces by the American representatives of this conference, whom the people there will be delighted to meet, placing before you their views as you are now placing before us your views to-day. So you see this means a new departure in diplomatic relations between the countries. I think there will be disappointment in both countries if something beneficial does not result from these conferences.

I would say, in regard to the admission of American ships to Canadian ports and of Canadian ships to American ports, that we have practically the same question to deal with on the Pacific coast. But it would appear that on the Pacific coast the law to some extent has been disregarded, because the Canadian vessels reporting at Ketchikan, Alaska, are given a clearance, and can then go out and get a supply of fish and take it down to an American port or to a

Canadian port, as the case may be, without being first compelled to make the port for which they clear; while on this coast, for instance, a vessel clearing from the port of Boston for a Canadian port must go to that port before going to the high seas to make its catch.

There seems to be, from the statements we heard in Washington, some differentiation in the construction of the law on the different coasts.

Secretary REDFIELD. I think it is correct to say, as Mr. Chief Justice Hazen has pointed out, that the custom on the Pacific coast, both with American and Canadian vessels, is the direct reverse of that which prevails on the Atlantic coast. Our fishing vessels there do go, are invited to go, are urged to go, and in a certain sense have felt compelled to go into Canadian ports, in a way that is not permitted under the *modus vivendi* on this coast. It is the fact that from the American port of Ketchikan Canadian vessels take clearance and go direct to the fishing grounds and make their catch before making the port for which they clear, the custom in that respect being exactly opposite to that which prevails on the Atlantic coast. On both sides of the line, therefore, we are facing an entirely different practice. The practice on the Atlantic coast, both in the United States and Canada, is entirely reverse to that which prevails on the Pacific in some respects; and one of the things we are anxious to know is whether that condition yonder has worked harm to anybody; whether it is causing any trouble, and we are going out there to find out. But obviously, I submit for your thought, it is a little difficult to urge that a condition ought not to be which already exists yonder if it shall appear, shall be shown that its existence there has worked no harm there. That we are not prepared to say as yet, because we have not been out there to find out. Now, gentlemen, we are ready to hear from any of you in the fullest way.

Capt. NICKERSON. Mr. Chairman and gentlemen, my name is M. H. Nickerson, of the Boston Lobster Co. Will you allow me to suggest that in order to expedite matters that may come before this commission it would perhaps be the best plan to call over those topics you have already named, one by one in their order, and let whatever discussion is necessary take place on each one of them as they come up?

Secretary REDFIELD. I concur with Mr. Chief Justice Hazen in thinking that that is more likely to delay than to help. I am sure there are many gentlemen here who are familiar with the whole subject and have their views upon it. There can be no objection, I think, to speaking them out plainly. Perhaps, following in a way the line suggested by Capt. Nickerson, I might raise one simple question. What is the objection, if any, to Canadian vessels clearing from Boston to the fishing ground, and coming direct from the fishing grounds to Boston? Not only what is the objection but what are the advantages, if any? There is one clear-cut question.

**STATEMENT BY MR. WILLIAM J. O'BRIEN, PRESIDENT OF THE  
BOSTON FISH MARKET CORPORATION.**

Mr. O'BRIEN. Mr. Chairman, we are distributors of fresh fish. In regard to the matter mentioned by the Secretary, I am highly in favor of it. The great problem before the people of the North



American continent to-day is that of increase in the food supply and reduction in the high cost of living. If we could have reciprocity between the fishing interests of Canada and the United States it would practically help to solve that question.

Chief Justice HAZEN. Mr. O'Brien, will you permit me to ask you a question? If the Government of Canada was willing to abolish the *modus vivendi* as it exists at present, doing away with the necessity of making an annual order and entering into an arrangement by which your vessels would have practically the same rights in Canadian ports that the Canadian vessels have—I am speaking of fishing vessels—irrespective of whether they are propelled by steam or other motive power; if we were willing to do that for a merely nominal license fee of, say, a dollar a year, not a dollar a ton, but a dollar a year, would it, in your opinion, be a fair thing for the United States to agree that Canadian fishing vessels might bring their catches directly from the fishing grounds into American ports and clear directly from the American ports for the fishing grounds? And, in addition to that, would it be a proper thing, in your opinion, for your Government to enact legislation that would prevent citizens of this country, or the owners of boats registered from the United States, from catching lobsters in the high seas opposite territorial waters of Canada during such time as there is a closed season in those waters for lobsters? That is a pretty long question. Do you comprehend it?

MR. O'BRIEN. I do.

Chief Justice HAZEN. You do think so?

MR. O'BRIEN. Yes, sir.

MR. SWEET. You answer that to both questions; do you?

MR. O'BRIEN. Yes, sir.

**STATEMENT BY MR. H. C. WILBUR, OF THE BOARD OF COMMISSIONERS ON SEA AND SHORE FISHERIES OF THE STATE OF MAINE.**

MR. WILBUR. Mr. Chairman, I would like to answer the question that Judge Hazen asks. As I understand it, the commission wants expressions of opinion from people interested in the industry?

Chairman REDFIELD. From everybody.

MR. WILBUR. And, I understand, from the men who may represent the different States in connection with this industry. I have studied the matter which concluded Mr. Hazen's question in regard to the lobster situation, with a number of dealers in lobsters in the State of Maine, and a number of men who are fishermen. I have discussed it with men interested on both sides of the question, and I have never heard an expression of opinion, except to the effect that it was a very, very unfair thing for the American vessels to do that, and that it would be proper governmental regulation to stop them. We in Maine are having the same experience from the smacks coming from neighboring States where they have a 9-inch lobster law. They are doing the same thing with us. They are lying off outside the three-mile limit and buying lobsters which it is illegal for our own fishermen to catch. So far as I have been able to ascertain, the feeling against that sort of thing amongst men interested in the lobster

industry, both as fishers and dealers, is universal. It seems to me in the interest of the lobster industry and in the interest of the good feeling we are so desirous of bringing into play at this time between the two countries, we should realize that that is unfair and do our best to stop it.

I should like to say one more thing that perhaps is not quite relevant to this hearing. The lobster industry in Maine is a large industry. At least 5,000 men in the State of Maine make their living fishing for lobsters. We have a stringent law in Maine, as all men familiar with the industry know. We believe that at the present time, under the new order of things, the enforcement of our Maine law will be important. We do not believe that the lobster enters into the question of the food supply of this country. The lobster is a crustacean, and its value as a food substance is very doubtful, and we all know that most of the lobsters, both the 16-legged and the 2-legged, go to the Great White Way! (Laughter.)

We would merely ask this commission, when they come to the question of considering the throwing down of the bars in regard to fishing, to bear in mind that the same problem which is presented in that respect in connection with fishing for sea food fish does not apply to lobsters. If there is to be any throwing down of the bars to increase the catch, bear in mind the fact that down in Maine we have worked a good many years to get to the place where we are now in our lobster business. As Judge Hazen has said, the industry has waned. Following the literature on the subject of lobsters, you can look forward along the line of direct arithmetical progression to the time when the lobster is going to disappear, and not in the distant future, but in the very, very present future. So we ask the commission to bear in mind some of the difficulties we have met with in the past, and we hope they will not in any way throw down the bars regarding our lobsters.

Chief Justice HAZEN. What is your limit in Maine? Ten and one-half inches?

Mr. WILBUR. Yes, sir; practically that; we measure the carapace,  $4\frac{1}{2}$  inches.

Chief Justice HAZEN. And the lobsters sold in Boston must be 9 inches long?

Mr. WILBUR. Yes, sir.

Chief Justice HAZEN. And those that are caught below your limit and up to the Boston limit are sold in the Boston market?

Mr. WILBUR. Yes, sir. The result of that is—I don't know whether it sounds very good to a Massachusetts audience—that we are greatly injured, as far as protection of the industry goes, in a manner similar to that which has been referred to by the chief justice in Canada, where vessels come just outside the 3-mile limit and catch lobsters. We suffer from that same sort of thing, from Boston smacks and a few New Hampshire smacks that come on to our coasts. They buy all the 9-inch lobsters from the men, and that means in many cases that they get the whole catch, because a man selling to them knows that they don't have to be culled, that these short ones don't have to be thrown out, as these fellows will take them all. Besides, the fishermen are being educated along lawless lines. The result is, as I say, that the fellow who can sell his 9-inch lobsters legally in

this way will not only sell his 9-inch lobsters to the Boston market, but also the 10½-inch lobsters.

Secretary REDFIELD. I think perhaps it is proper for me to say a word at this time as Secretary of Commerce and as a business man, as having a deep interest in the fisheries of the United States, aside from what I might say as a member of the commission. I say this in all seriousness. Those who are dependent upon the lobster business for their livelihood in any form in this country must expect, unless there is an almost immediate change, to have that part of their livelihood taken away from them, and not by the act of anybody in the world except the men engaged in the industry itself. This is no time for mincing words, and I should be guilty of neglect of duty if I did not put this matter frankly and squarely before whomever it may concern. If the present methods are continued, if the present discordant laws are adhered to for the sake of profit, the time when there will be no lobster business can be measured by a very few years. We should have had examples enough of this kind of thing to lead us to take warning. We have been through a painful five years in our department endeavoring to restore the seal herds, as they would take them because they could make money out of them, and that sort of thing continued until the herds were all but gone. Now, at the end of a five years absolutely closed season, protected by cruisers that did their job, we have got the thing back again and can maintain it, but we can only maintain it by the strong arm of the law. That precise situation faces the lobster industry of this country. Please do not think I am speaking of it from a Washington standpoint. I have had a house on the coast of Maine for 16 years, and I know intimately the facts of which I speak. That business is going to be ruined speedily unless there is a prompt change in the present discordant laws and methods in New England. I am sorry that I have to speak so plainly in this matter, but I am telling the plain truth, and this should be said to the men who have an interest at stake.

Now, to the question raised, what objection, what advantage, one or the other or both, will arise from having Canadian vessels sail direct from Boston to the fishing banks and enter Boston direct from those banks? I will raise another question: What advantage, what objection, one or both, would come to American vessels from having the present license fee of \$1.50 a ton removed from American sailing fishing vessels in Canadian ports, and having free entry into those ports, on the nominal basis of \$1 per vessel per year of fishing vessels of whatever motive power? What advantage, what disadvantage? That license fee amounted, if I am correct—I am speaking from memory—to \$106,000, about two years ago, in the year 1915-16. I understand that that was the amount of the annual sum collected.

Chief Justice HAZEN. I don't think it has ever been as much as that in a single year.

Secretary REDFIELD. What has been the largest amount?

Chief Justice HAZEN. About \$8,000 or \$10,000, hasn't it, Mr. Found?

Mr. FOUND. Yes.

Chief Justice HAZEN. Of course, it has been falling off because of the decreasing number of sailing vessels and the increasing number of vessels under other motive power.



**STATEMENT BY CAPT. M. H. NICKERSON, OF THE BOSTON LOBSTER COMPANY.**

Capt. NICKERSON. I would like to say just a word on this question at this time. It is one in which I have been interested for a great many years, as I think some of the gentlemen in Maine know. I have obtained a pretty wide expression of opinion in regard to the matter in both countries, and I think all are agreeable to it except, I think, outfitters in Boston. This same question, to all intents and purposes, has arisen on the Pacific coast, and I have been advised that the greatest objection on that side has come from the outfitters in Seattle, who would like the patronage of the American boats and do not relish the privileges that have been extended to them in Prince Rupert. Of course, there has been a different way of dealing with the question out there from what prevails here.

Of course, this law in regard to \$1.50 a ton has been a very hard law in some ways, because the license fee had to be paid yearly, and would ordinarily amount to over \$100 for a vessel; and, besides, if a New England fishing boat took advantage of the *modus vivendi* and came on the scene late in the year and purchased a license, as many of them do, along in October or November, they have had to pay the full amount and then renew it again as soon as the new year came in, if they wished to fish down on that shore.

I kept up a constant agitation of the matter in many ways, through the press and on such platforms as I could get access to, and I found that there was great unanimity in both countries on the matter; and I may say that when the ill-starred proposition of reciprocity occupied the attention of both countries, I succeeded in getting Mr. Fielding to put into his platform that very same formula with regard to admission of vessels that is being considered here to-day. It was there stated that they could have the same privileges that are now given for the sum of \$1, and I am sorry to say, and have always regretted it since, that both countries turned down that proposition. I am now ready to support it with all my might as it appears here, and I think it represents the general opinion of all the gentlemen present.

**STATEMENT BY MR. A. L. PARKER, PRESIDENT OF THE BOSTON FISH PIER CO.**

Mr. PARKER. Mr. Secretary, we have to do mostly with the distributing of fresh fish.

In regard to the proposition in regard to American vessels going into Canadian waters and ports, we believe that that would be a great help, especially in the case of vessels that have power. At the present time the greater part of the vessels have power, and this would allow them to go in there when they have a small trip aboard, for instance during hard weather in the winter, and ship their fish home if they so desired, thereby having fish arrive in our markets in a better condition, giving the people better fish.

In regard to the other side of the question, about having the Canadian vessels land their fish in our waters at our wharves, we

also, looking at it from the point of view of the greatest good to the greatest number, approve of that.

I think the remarks you made in the opening address were very good. Taking everything into consideration, looking at the matter from a patriotic standpoint, I think I may safely say that I represent the opinion of my company, which includes 28 of the distributing firms on the new Fish Pier, in this matter. I think that is the opinion of the greatest distributing firm around here.

Secretary REDFIELD. Is there anybody else who wishes to speak to us on the question of the advantage to the American fishermen of having the American and Canadian ports open in the way suggested?

**STATEMENT BY MR. WILLIAM H. BROWN, SECRETARY OF THE FISHERMEN'S UNION.**

Mr. BROWN. Mr. Chairman and gentlemen, speaking from the fishermen's standpoint—that is, from the standpoint of the men actually employed and working the vessels, catching the fish—this license law of a dollar is a very good thing. That is the way in which we regard it from our standpoint. It doesn't mean as much to the owner of the vessel as it means to the fisherman himself, because in my 19 years' fishing I have always found that when the license was taken out the fisherman had to pay three-quarters or four-fifths of that license, which weighs heavily on him. So that would be one benefit to the men, the fishermen.

In regard to our vessels, American vessels, landing their fish in Canadian ports, that is a rarity, unless we have got what we call a broken trip in our American vessels. We know that when we come home we have to go to our families bringing a dollar, anyway. Our expenses are high, and when we get through we have got to have a dollar, anyway, to keep our families with. If we have to stay out a week or a month more before we can raise a dollar, our families are put out of our homes before we get back. I have in mind an incident only last week, where a man was gone away seven weeks and made a pretty good trip, sixty odd dollars, but in the meantime his wife, with two or three children, kept coming to my office and had to be kept going until her husband came home. He was gone seven weeks, although he had, as it turned out, a pretty nice trip. He has gone again, and as things are he may not get back for 9 or 10 weeks.

Now, if the Canadian vessels have the privilege of landing in the port of Boston, where they would be getting a fair price for fish—that is, from the fisherman's standpoint—the market would drop, naturally, in accordance with the law of supply and demand. If it drops with the present scale of prices now, the fishermen from the ports of Boston and Gloucester would go home without very many dollars in their pockets to feed their families, because our expenses have been raised in some cases 300 or 400 per cent in this last year. Take the matter of lines: I understand to-day a 10-line tub trawl, 14-pound line, costs \$16. Every man on a single dory vessel has four of them in his charge. If they lose them, and in this weather they lose a lot, as high as 14, 15, or 16 tubs a trip, three-quarters or four-fifths of the expense has to come out of the crew. The owner pays

one-fifth or one-quarter. It is the same way in regard to bait. I was talking to one of the fishermen yesterday on the dock and he said they paid  $5\frac{1}{4}$  for herring, and that it was poorer and they had to throw a good deal of it away. It is the same with all other commodities that are shipped—grub, ice, and bait. Five hundred dollars or six hundred dollars used to be a big expense for going on a five or six weeks' trip. To-day you can not go away with an average of \$900, and we have to have a very good stock to take home on the average a common laborer's pay to our families when you figure on the losses such as I have referred to.

Now, what will be the result if we have Canadian vessels running into the port of Boston with large cargoes of fish? I don't think the price of labor or the price of buliding those schooners or steamers will cost as much as it would cost on the American end. So, naturally, they will not look for so much percentage.

Chief Justice HAZEN. Why won't they cost as much, Mr. Brown?

Mr. BROWN. Labor is cheaper in Canada than in America.

Chief Justice HAZEN. Have you any figures to justify that statement?

Mr. BROWN. I think you can get the carpenters in Nova Scotia for \$3 or \$4.

Chief Justice HAZEN. I think you will find that wages in Canada to-day are as high as they are in the United States.

Mr. BROWN. Labor of all kinds?

Chief Justice HAZEN. I think so.

Mr. BROWN. In connection with shipbuilding?

Chief Justice HAZEN. Yes.

Mr. BROWN. Well, I stand to be corrected. I know the wages used to be pretty low when I was over there. I worked in Yarmouth for pretty cheap wages. But under the conditions I speak of, the law of supply and demand, on the fishermen's end of it, will sort of drive a lot of fishermen out of the fishing industry, because the life is arduous. The fishermen have to go away and leave their families when they are on fishing trips, and unless there is some inducement they will not continue. They are trying hard now to keep the men going and to keep the vessels up. The tendency of the times is to drive men ashore, to shore work, working in business of other kinds—carpenters and others. We have all kinds of men going fishing.

Mr. SWEET. Is there any law now to prevent an American from getting his fishing vessel built in Canada, if he wants to, instead of in the United States?

Mr. BROWN. He can't go down there now and build.

Mr. SWEET. Can't he?

Mr. BROWN. I don't think so. Of course, an American concern might have a branch down there, I suppose.

Mr. SWEET. Just wait a moment. Until recently there was a law that forbade American registry to foreign-built vessels, but that is not the law now.

Capt. NICKERSON. Allow me to say that there has been an order since that time.

Secretary REDFIELD. Perhaps it would be well not to interrupt Mr. Brown at this time.



Capt. NICKERSON. Well, I simply wanted to say, as long as this point is up, that we wanted a vessel built down there and brought over here, and the Canadian Government refused, except under a certain license, and we have not yet discovered what kind of a license was necessary. That boat is being built at Clarks Harbor; and I think the department answered my first request by sending me a copy of the order and said that the license was necessary, and it also stated in the letter that this act would show where to obtain the license and in what way, and it didn't. Then I put the matter into the hands of Mr. Fielding, who is working it up now. But at the present time the boat can not come from Clarks Harbor to the United States—not because the United States Government is against it but because for some reason a regulation in Canada forbids it.

Mr. SWEET. Undoubtedly a war measure, the same as we are now putting rulings into force for war purposes. I suppose it is simply a rule applied owing to war conditions.

Mr. BROWN. Well, I haven't much more to say, gentlemen, except that I am looking at this from the fishermen's standpoint, from the standpoint of the wages of the poor man—the laborer—and I feel that if the wages are cut down or the price of fish is cut down to a very great degree, while other commodities are not cut down, it will drive a great many men out of the business. If we could get cheaper bait, cheaper grub, cheaper ice, etc., from the owner's standpoint as well as from the fishermen's standpoint, we might be able to drop the price of fish a little more. A short while ago some gentlemen appeared in front of Mr. Endicott, in connection with the food situation, trying to see if there was any way of getting cheap fish, and I think the gentlemen on the dock have complied to the best of their ability with suggestions that have been made, in order to give cheap fish. But they will answer for themselves, I suppose, after awhile. We catch them, and they have the selling part. But I don't think that side of the thing would be a benefit, or that alone wouldn't be enough, with the situation that would arise if we let the Canadian steam trawlers come in here in this way. I don't think the Canadian schooners would bother coming here very much. If they could get a good market in their own country, I don't think they would come. But take the steam trawlers, carrying 240,000 and 250,000 pounds of fish, they would probably be attracted by a good market here, and I think, as I say, that that would hurt our men, because the wages of the fishermen there are not as large as the wages we are getting here in American ports, and it might result in reducing our wages, instead of making things a little bit better for us.

Secretary REDFIELD. Mr. FOUND, what can you say about the wages paid on Canadian vessels?

Mr. FOUND. I would like to be clear as to whether fishing schooners or steam trawlers are referred to?

Mr. BROWN. Steam trawlers.

Mr. FOUND. You mean to say that the wages on steam trawlers operating from United States ports are lower than on those operating from Canadian ports?

Mr. BROWN. Higher.

Mr. FOUND. That the wages are higher on this side?

Mr. BROWN. Yes, sir.

Mr. FOUND. Can you tell us what the wages are, operating from here?

Mr. BROWN. Well, I was just talking to a man around a week ago—in fact, talked with two young fellows who came from Canso, in regard to the matter. In fact, I think Mr. Otte or Mr. Nickerson have a letter showing the situation in regard to steam trawlers in Canada. I understand that they are getting \$30 a month and \$7 a thousand, where they are getting \$40 and \$7 here, and I think with the bigger price for fish here they make more money on the percentage end of it.

Chief Justice HAZEN. You think a larger price is obtained for the fish here?

Mr. BROWN. Yes. We get \$40 a month steady wages on the steam trawlers. We simply go out and have no watch system outside, only in name. We work from 25 to 50 hours night and day, until we get that trip of fish out, dressed, and put down in the hold, and there is an enthusiasm for it. They are getting a percentage on the catch, which makes the men work longer hours than they would at steady wages of just so much. If they had only those, they would simply demand six hours on and six off—the same as sailors. But when you are giving them a percentage also, they catch all the fish they can and dress them and put them in in good shape.

Chief Justice HAZEN. That same percentage system is in practice on Canadian vessels?

Mr. BROWN. Yes, sir; but the wages are a bit different.

Mr. SWEET. Is that \$7 a thousand based on the price the fisherman get for the fish in the market.

Mr. BROWN. Yes, sir; \$7 on every \$1,000 of stock—the whole catch—seven-tenths of 1 per cent.

Mr. FOUND. I have something here that I would like to get on the record. Mr. Secretary. I have not before me an exact statement of the wages paid on Canadian vessels, but I do have before me a letter from one of the biggest steam trawlers operating out of Canada—out of Halifax—the writer stating that he has to pay 10 per cent more wages than prevail on this side. But I haven't the exact figures. We can get those when we go to St. John.

Chief Justice HAZEN. This is from S. Y. Wilson, of Halifax, the Leonard Fisheries, Limited. [Handing letter to Chairman Redfield.]

Secretary REDFIELD. I will read from this letter sent from Halifax, Nova Scotia, dated January 26, 1918. It is from the Leonard Fisheries, Limited, and is signed by Mr. S. Y. Wilson.

“The captain and mates on Canadian steam trawlers are paid from  $\frac{1}{2}$  per cent more than on the fleet operation in United States, as they are invariably men of large experience in European waters. The steam trawler *Baleine*, which we are at present outfitting, has been pronounced by one of Gloucester's most successful captains as superior to any other steam trawler on this side of the Atlantic.”

The commission will take pains to get as fully as it can, both from this port and Gloucester, and other United States ports, as well as from Canadian ports, the exact facts as to the operation of these vessels, and will welcome now any further light that can

be thrown on the relative cost of operation of these ships. Mr. Brown, we will hear from you further, if you wish.

Mr. BROWN. Well, that letter may be all right. I guess the English laws on steam trawlers give the captains and mates of the trawlers a good amount, but that the crews get the poorest amount.

Chief Justice HAZEN. Have you any evidence to support that statement, that the officers get more than on the American side, but that the crews do not get as much?

Secretary REDFIELD. The chief justice asks you if you have any evidence to support your statement that in Canada they give an excess to the officers, but take it out of the men, which I understand is the sum and substance of your statement?

Mr. BROWN. Oh, the men get a less percentage than on the American vessels, I understand.

Secretary REDFIELD. Have you any evidence of that—actual facts?

Mr. BROWN. I would have to get Mr. Burns to corroborate that statement. He would have the figures in his office. He is more in touch with those people than I am, as a common man.

Secretary REDFIELD. Well, we shall be very glad indeed to hear from Mr. Burns.

Chief Justice HAZEN. Mr. Brown, you have referred to the cost of supplies. Have you made any comparison of the cost of supplies required on board these fishing vessels, in Canada and the United States? Have you a list showing the different costs?

Mr. BROWN. No, sir; I haven't—only I suppose that 75 per cent of the men that go out of Boston and Gloucester are Canadians and Newfoundlanders, who come across here, and they tell me that more is paid here than for Canadian vessels. But as far as the facts and figures are concerned, I haven't got them. I think, however, that there would be no trouble in getting them.

Chief Justice HAZEN. I simply wished to find out if you had made any comparison of the cost—the prices paid in Canada and in the United States for food and materials used in vessels? You have stated that the cost is greater in the United States than in Canada, and I wanted to know what the figures were. My statement, of course, is not evidence; but my information is that the cost of those supplies entering into fishing vessels is fully as great, and in some cases greater, on the Canadian side than on this side of the line. I thought, perhaps, you might have some figures to show whether or not that was correct.

Mr. BROWN. No.

Chief Justice HAZEN. You will try to get them, of course?

Mr. BROWN. Yes.

Secretary REDFIELD. I would say, Mr. Brown, that now or later—at any time when you get hold of definite figures, or when anybody here gets hold of definite figures—we shall be more than glad to have you send them to Washington to be made a matter of record in Washington.

Mr. SWEET. I did not understand you to say whether you attach any advantage to American vessels having such privileges in Canadian ports as have been referred to here to-day—with \$1 license annually per vessel. Would there be a material advantage to our



American fishermen on power or steam vessels in being allowed to go into Canadian ports and have the privileges there that Canadian vessels have?

Mr. BROWN. Why, in the way I have referred to, there would be in connection with this license matter. It would save \$75 to \$80 a year on the crew.

Secretary REDFIELD. Apiece?

Mr. BROWN. No; the whole crew. Then, sometimes, in hard weather, when a vessel has been out three, four, or five weeks without taking a seine, it could go in and get supplies. They might have 10,000, 15,000, or 20,000 pounds of pretty good fish, and could go in and have it taken care of; and, then, they could go out on the banks again instead of lying on the banks for nearly two weeks more catching fish—by which time those fish would be very old before coming to Boston. In that way Boston would be more of a fresh-fish market, and people would be able to get at all times fresh fish on the market.

Mr. SWEET. Weighing the advantages and the disadvantages, is it your judgment that it would be more for the interests of American fishermen that the Canadian vessels should not be permitted to come into our ports? We have been talking about American vessels being kept out of their ports. Of course, it is a question of such permission being granted on each side.

Mr. BROWN. From my standpoint—from the men's standpoint, representing the fishermen of New England—I think it would be a benefit to make both America and Nova Scotia harbor places, to leave in those clauses; that what Chief Justice Hazen has said would be all right as far as our end of it is concerned, in that respect.

#### STATEMENT BY MR. JOHN BURNS, JR., OF THE BAY STATE FISHING CO., BOSTON, MASS.

Mr. BURNS. Mr. Chairman, Mr. Brown has asked me to substantiate his figures of comparison of wages paid on the Canadian trawlers as compared with our trawlers here. It may be asked, before I get through, if I can substantiate those. I can only do it in this way: That it is a fact that the officers of trawlers from Canadian ports are paid a larger wage or the compensation is greater than on our boats here. At the same time the crews get a less amount. Those figures I have in my office.

But, representing the Bay State Fishing Co., which is primarily a producing company, I believe it would be more or less harmful to throw the ports of the United States open to foreign ships producing fish. We are placed, I think, under many disadvantages. Whether or not this is a war measure, whether or not it is proposed that the arrangement be made simply for the duration of the war, it seems to me is a very important question.

As to the cost of operating, we get most of our nets from the other side. We are paying 60 per cent duty on our nets at the present time. Those nets could be shipped, I suppose, from England to Canadian ports without that duty. That is a very big item in the operation of our ships. We do business by the year and not by the trip, and if our market at spasmodic intervals was to be lowered

or partially destroyed, our grand average would not be what it is to-day. Altogether I think it costs us—well, I haven't the figures exactly, but I think it costs us—one-half more to operate in this country than it would cost the Canadians. So, if they come into our waters and enter our ports, as suggested, speaking from a partisan standpoint, I think it would be harmful.

Secretary REDFIELD. Mr. Burns, have you ever figured what the difference in cost per hundred pounds per annum is for operating a Canadian trawler as compared with those of your own?

Mr. BURNS. No; I have not. I have had no opportunity to do so.

Secretary REDFIELD. What proportion of the price that you obtain for the fish is represented by the wages of the fishermen?

Mr. BURNS. Well, I could figure that accurately. Mr. Brown has stated that he paid the men a certain scale and bonus and paid the officers another scale and bonus. It goes from the lower paid men up to the captain, all scaled according to the bonus.

Secretary REDFIELD. Have you ever had placed before you an actual table showing the actual cost of operation of a Canadian trawler?

Mr. BURNS. I have not. I have seen the scale of wages and bonuses.

Secretary REDFIELD. Yes. Is there any difference in the method of operating vessels which would offset in any degree the difference in the rate of the men?

Mr. BURNS. I didn't get that.

Secretary REDFIELD. Is there any difference in the way of operating the vessels which would in any degree offset the difference in the wages paid?

Mr. BURNS. Not that I know of.

Secretary REDFIELD. How many men do you operate on a beam-trawler?

Mr. BURNS. Twelve.

Secretary REDFIELD. Is the difference in the wages of the crews made up or more than made up by the difference in the wages paid the officers?

Mr. BURNS. You mean the general scale, the way it works out in comparison?

Secretary REDFIELD. Yes.

Mr. BURNS. I think it is pretty close.

Secretary REDFIELD. So you think the total wage paid per annum per vessel would be approximately the same?

Mr. BURNS. Works out about the same; not much difference.

Secretary REDFIELD. Then, what other cases are there operating to your disadvantage, as compared with a Canadian vessel? For example, is the price of coal greater here—under ordinary conditions, not to-day?

Mr. BURNS. Well, I can only answer that for during the war. I can not say what the prices of coal might have been in comparison.

Secretary REDFIELD. Of course, we are not speaking in reply to your suggestion, in regard to a war measure at all, but are talking about a permanent measure. Would it make a material difference if the duty on the nets were reduced?

Mr. BURNS. It would, a great deal.

Secretary REDFIELD. Who are the manufacturers in this country of nets of that character?

Mr. BURNS. There are none.

Secretary REDFIELD. Then, what do you understand to be the purpose of the 60 per cent duty?

Mr. BURNS. It is simply the classification that we are placed under. These nets are classified with hair nets, for instance; come under the same classification. I shouldn't like to see a woman wearing one, but nevertheless that is the classification they come under.

Secretary REDFIELD. Have you made any effort to obtain a reclassification in connection with that matter?

Mr. BURNS. We have. We have been working on it for some time.

Secretary REDFIELD. Then, would it or would it not be a matter of relief to your industry if that could be revised?

Mr. BURNS. I should say that it would be.

Secretary REDFIELD. I would ask the Chief Justice what the facts are regarding the relative costs of those nets in Canada and the United States?

Chief Justice HAZEN. I don't know. I was going to ask the witness what a net costs in Canada and what it costs in the United States. Perhaps he does not know.

Mr. BURNS. I could not say what they cost in Canada, but would refer to Mr. Otte, who is in charge of that and who could perhaps give us some idea of the actual cost. Whether he knows what is being paid in Canada or not, I don't know. What we must do here and what, it seems to me, would be of great advantage to our ports along the Atlantic coast, would be to build up as large a fleet as possible. I would say that at the present time the United States—I suppose it was felt that it was absolutely necessary—have taken four of our steam trawlers from the port of Boston to protect against mining, etc. If it did not have those trawlers the Government would not have any mine sweepers. They have been mine sweeping for a year and have been taken away from us with nothing to replace them. We would have been able to bring in millions of pounds of fish if we could have used them.

Secretary REDFIELD. I shall mention that fact to the Secretary of the Navy.

Mr. BURNS. Of course, we need protection. If we are going to be encouraged in building up an independent fleet, whether it is for merchant marine or for the fishing business, we must have a certain amount of protection. There is no question about that. We need protection on the coast and we need fishing vessels, and the question is to be considered whether this is going to work detrimentally to the independent building of ships going from the United States ports. Of course, we need those vessels. I don't know what they would have done without us. Of course, our New England ports must be protected.

I would now like to call upon Mr. Otte to tell us what he knows about the subject.

Mr. FOUND. The nets you speak of are those used on the trawlers?

Mr. BURNS. Yes, sir.

Mr. FOUND. Do you know the comparative value of those nets in both countries?



Mr. BURNS. No.

Secretary REDFIELD. How big are they?

Mr. BURNS. About 90 feet across.

Commissioner FOUND. I understand that these nets are only manufactured at the present time in the old country. Practically all of them are imported by Canada and the United States from Great Britain; but the others, gill nets and lines, are practically all imported by us from the United States.

Secretary REDFIELD. Do you pay duty to the United States, Mr. Found? Is there a tariff that you have to pay for the nets you get from the United States, in Canada?

Mr. BURNS. Not for fishing purposes.

Secretary REDFIELD. You buy your nets in the United States and get them in free of duty?

Mr. BURNS. Yes. The nets and lines, I think, are practically all imported from the United States—these other nets and lines.

Chief Justice HAZEN. I understand on those that the price paid is the same in the United States and Canada. I would like to ask Mr. BURNS one question. In the case as put it was suggested that the American vessels could buy their supplies in Canadian ports. You are paying 60 per cent duty, or say there is a duty of 60 per cent on these trawler nets, and you say they are imported into Canada free of duty?

Mr. BURNS. No; I didn't say that.

Chief Justice HAZEN. Perhaps you said they might be. I thought you said they were.

Mr. BURNS. No. I kept away from that question because I don't know about it.

Chief Justice HAZEN. That is, you do not make the assertion because you do not really know. But, of course, in the case put by the Secretary, if United States vessels are permitted to purchase supplies as the Canadians do, in Canadian ports, they would be able to purchase nets in Canada at the same price as Canadian vessels?

Mr. BURNS. Yes.

Secretary REDFIELD. That is the proposition.

Chief Justice HAZEN. And perhaps your Government would consider removing the duty, as it does not protect anybody.

Secretary REDFIELD. I suppose the proposition is clear that if the Canadian Government opens its ports to motor vessels, steam vessels, fishing vessels, and removes the license of \$1.50 a ton and substitutes a nominal license of \$1 per annum per ship, that would carry with it the privilege of purchasing supplies of every kind and nature in Canadian ports, at the price there prevailing. So vessels of each Government would have the advantage of the prices in the ports of the other. If a thing, therefore, was cheaper in Canada, it would be bought there; if it was cheaper in the United States, it would be bought there.

Mr. BROWN. In reference to the last question the gentleman asked me, I think there was a misunderstanding in regard to Canadian vessels coming into Canadian ports and American vessels going into Canada to sell fish.

Mr. SWEET. Not only to sell fish, but for all purposes.

Mr. BROWN. I thought I made myself clear, as far as the fishing is concerned, would like to see the same old rule go on.

Chief Justice HAZEN. Of course, if the present *modus vivendi* were discontinued, not extended, that would simply throw the thing back to the treaty of 1818, so that American vessels could only enter our ports for four purposes—shelter, repairs, wood, and water. What would you say, then?

Mr. BROWN. Well, all I can say is this, Mr. Chairman and gentlemen, that our American capitalists might have to make up the needs of American fishermen—supplying more bait—putting the bars down in a way, so that we could get all the fish we wanted in Massachusetts waters, bays, and rivers, and wouldn't have to go to Nova Scotia for much bait.

#### STATEMENT OF MR. HENRY OTTE, MANAGER OF THE MARINE DEPARTMENT OF THE BAY STATE FISHING CO.

Secretary REDFIELD. You heard what Mr. Burns said about the nets?

Mr. OTTE. I think the question was relative to the cost of the nets to-day.

Secretary REDFIELD. Yes; that was one question.

Mr. OTTE. In round figures, I think a net to-day costs \$260.

Secretary REDFIELD. How big is the net?

Mr. OTTE. One hundred and twenty feet across the mouth and with a depth of 180 feet. It is commonly known as No. 1.

Secretary REDFIELD. Do you know what the price of a similar net in Canada is to-day?

Mr. OTTE. I do not.

Secretary REDFIELD. Is it not a fact that any disadvantage, if there be one, would be removed if you were free to buy them in Canada and outfit a vessel from there in that respect, if you desired to do so?

Mr. OTTE. There would be a saving on the cost of the nets, although I will say that we enjoyed free entry of those nets under the Panama Canal act until such time as the Secretary of the Treasury revised that rule and made a different ruling, the net being put on a 35 per cent basis under clause—I don't remember what it was now.

Secretary REDFIELD. Is that the amount of duty to-day—35 per cent?

Mr. OTTE. Then, the same department revised the ruling again and classified nets under a class which covered hair nets and such finery, which is being protected at the present time.

Secretary REDFIELD. In what way and before whom?

Mr. OTTE. Before the Customs Board of Appeals, and I believe it comes up in April.

Secretary REDFIELD. How long has that ruling been in effect, Mr. Otte?

Mr. OTTE. That ruling has been in effect since, I believe—well, this is simply hearsay—but about a year, perhaps.

Secretary REDFIELD. How many nets have you bought during that year, Mr. Otte?

Mr. OTTE. About 150 nets, and as many spare parts which, if put together, would make a similar quantity.

Secretary REDFIELD. On which the 60 per cent duty has been involved?

Mr. OTTE. Practically.

Secretary REDFIELD. And about what is the consumption of nets?

Mr. OTTE. The natural consumption, I think, is 15 nets per annum per vessel, and with 7 vessels there would be 84 to 100 nets per annum.

Secretary REDFIELD. So you wish me to understand that those you have bought under the larger duty would approximate a year and a half's consumption?

Mr. OTTE. Yes; I should say so.

Mr. BURNS. And you might mention the chances of loss.

Mr. OTTE. Oh, yes. We had one shipment that never arrived, owing to unfortunate circumstances. The vessel was lost at sea while they were in transportation, and we figure that from the time an order is placed it is 6 to 8 months before we receive a delivery of the goods.

Secretary REDFIELD. In that respect is there any difference between yourselves and the Canadians?

Mr. OTTE. I don't know, sir.

Mr. BURNS. Our whole fleet consists of seven boats, operating.

Mr. OTTE. I am talking about seven boats operating.

Secretary REDFIELD. What, in detail, so far as you can give it, in the relative order of their importance, are the disadvantages under which your labor in competing with a Canadian vessel of the same size and type?

Mr. OTTE. I can speak only relatively as to the actual increased cost of operation of our own vessels. As to the exact comparative increased cost of our vessels as compared with Canadian vessels I have not posted myself sufficiently to answer that question in the manner you would like. I can not give you the relative operating expenses of the Canadian vessels, because I don't know. Therefore I can not give you the comparative disadvantages or advantages that might accrue if the steam trawlers received the privileges of entering Canadian ports either for selling, refitting or getting supplies.

Secretary REDFIELD. Do you think it would be advantageous to you to have the privilege of entering Canadian ports and having the same freedom therein that the Canadian vessels have?

Mr. OTTE. I can not say, as far as steam trawlers are concerned, because in the past 12 years' operation of our vessels we have used our natural home market, which was capable of supplying our fleet in such a manner as to keep them operating as nearly 100 per cent of efficiency as it was possible to do so.

Secretary REDFIELD. Have your vessels never had occasion to enter Canadian ports and apply for special licenses?

Mr. OTTE. We have only had occasion to do so in emergency. One case I remember, where the chief engineer was injured at sea and received aid at Halifax; and there was another occasion, perhaps two or three in the life of the company, on account of weather conditions. Then, two of our vessels out of Canso and Digby cooperated down there last summer in connection with producing food for the allies.



Secretary REDFIELD. Do you confirm what Mr. Burns said, that it is a fact that on the Canadian vessels the officers are paid a higher compensation, but that the crew are not paid quite as large a compensation, and that upon the whole the total wage cost would be approximately the same?

Mr. OTTE. I would not personally confirm that as a fact. I would say, from such meager knowledge as I have obtained, that that is the case.

Secretary REDFIELD. What coal do you use on your ships?

Mr. OTTE. Bituminous.

Secretary REDFIELD. From where?

Mr. OTTE. From New River mines or Pocahontas mines, West Virginia.

Mr. BURNS. From anywhere.

Mr. OTTE. But at present we are getting what we can.

Secretary REDFIELD. Anything you can get, I suppose.

Mr. OTTE. It is called "coal."

Secretary REDFIELD. Have you any knowledge whether you have to pay more or less for fuel than a Canadian vessel?

Mr. OTTE. Yes; I have. In one particular instance, in the month of November, brought a new vessel from Manitowoc, Wis., to Boston, and this vessel stopped at Port Hastings for coal. I believe, if I remember the figures correctly, the price was \$6.75 a ton there. We were paying at that time \$9.25. While the price of our coal at \$9.25 seems a great deal more than the \$6.75 at Port Hastings, in my opinion the quality of the coal I received at \$9.25 was such that it was probably one-third cheaper than the other.

Secretary REDFIELD. Speaking now of Pocahontas coal?

Mr. OTTE. Yes, sir.

Secretary REDFIELD. \$9.25 is pretty high for Pocahontas coal in ordinary times?

Mr. OTTE. Very high.

Secretary REDFIELD. How high would it run in ordinary times as to price? I have used a great many thousand tons of it myself.

Mr. OTTE. In the vicinity of \$4—as low as \$3.75 for bunker coal. This is a different proposition from rail coal.

Secretary REDFIELD. Yes; but even then you speak of the Pocahontas coal as the cheaper coal?

Mr. OTTE. Yes, sir.

Secretary REDFIELD. So there would be no disadvantage against you on the ground of fuel there?

Mr. OTTE. No.

Secretary REDFIELD. Are you able to state any other respects in which the Canadian vessel has an advantage over you, particularly if the bars were removed and you were free to go into any Canadian port, if you saw fit, and buy at their prices? Would there then be, in your judgment, any disadvantage to you; and if so, what?

Mr. OTTE. Why, I have not seen the necessity arise for our fleet to enter any Canadian port for any purpose, outside of what I have referred to in the brief statement I have made. Our operation for years has been wholly confined to American ports, and perhaps for that reason I have not made as close a study of what might occur.

Secretary REDFIELD. That is undoubtedly correct, but it was not quite my question.

Mr. OTTE. Perhaps I did not quite get it.

Secretary REDFIELD. Assuming, under the proposed plan, that you are free to go, if you wish, into a Canadian port, if you find it to your advantage to do so, so that whatever price a Canadian trawler gets in its own port is open also to you, and vice versa, under those circumstances what are the disadvantages under which you would labor?

Mr. OTTE. Does this question cover the sale of the products?

Secretary REDFIELD. I am talking about the operation of the vessel, now. It would also be a fact, however, that if there were an advantageous Canadian market you would, under those circumstances, be able to take advantage of it, and if there was an advantageous American market you would be able to take advantage of it. I am speaking of an entirely open arrangement.

Mr. OTTE. I doubt if it would work out. I do understand that at the present time, however, there is a Canadian duty on fish brought in by an American vessel of a cent a pound and that, of course, would be a disadvantage to American vessels.

Secretary REDFIELD. Of course, that is a sales proposition. I am referring to the operation of the ship.

Mr. OTTE. I thought you meant that we would have a market in Canadian ports for the fish.

Secretary REDFIELD. Well, of course, you would have the opportunity to take advantage of that market, if it existed.

Mr. OTTE. It couldn't exist, under the duty conditions.

Secretary REDFIELD. That would depend on the market prices.

Mr. OTTE. Well, they would still have the advantage of us, with the duty.

Secretary REDFIELD. Well, of course, we can change our own duty at any time we see fit. Tariffs are not involved in this discussion.

Mr. OTTE. I understand that, but that is a point of fact to be considered. I don't understand whether there would be an advantage one way or the other, materially, under your question.

Mr. SWEET. It occurs to me that perhaps in Canada, as well as here, gentlemen engaged in the industry will give us their impressions as to the expense of operation, etc. That would be a very natural thing to do. I want to ask you if there is anybody here that you know of, engaged in the industry or otherwise, who could make out for us a statement of actual expense of operation, going back, perhaps, for several years, taking in normal conditions rather than war conditions, so that we might then get the same figures, perhaps, from Canadians, and make a more just comparison than is possible from hearing the impressions of people stated. Each side, perhaps, may have a tendency to consider that its own relative expenses are more than those of other people. There may be an impression on their part that they are at a disadvantage and on our part that we are at a disadvantage, and perhaps if we had the exact figures we would find that the equality was much greater than we could imagine. Is there anybody you know of here who could give us figures of that kind, making a sort of statement that we could put into the record?

Mr. OTTE. In connection with sailing vessels, I think several concerns in Gloucester would be competent to give you statistics dating several years back on sailing vessels. I believe there is a possibility that the Bay State Fishing Co. could also give you figures on the operation of steam trawlers.

Secretary REDFIELD. I would like to ask you or Mr. Burns this question. We fully understand the privacy that prevails in business matters, and there is no desire to make such matters public where there is no right or wrong involved at all. But can you not furnish us something of this nature? We have in our Lighthouse Service one hundred and forty and odd vessels operated, and we have the exact cost of wages, fuel, supplies, repairs, every other item, per mile run of every ship, so that we can tell precisely, taking each ship of one size, for example, precisely what such vessel costs per mile run in any year back, for 8 or 10 years; and we can tell, therefore, whether the ship is economically operated, where the work is of a similar character to that of other ships. Can you furnish us something of that nature, which, if furnished, would be confidential as far as the commission is concerned? I must, of course, let everything we have be made clear to our Canadian associates on the commission, but as far as publication is concerned, if the matter were one of privacy, for any reason, it would not be made public.

Mr. OTTE. I doubt if we would have as elaborate figures as you have described, because we have never had the facilities at hand to go into details in that way, in building up from small beginnings to what we have to-day. But we would be glad to give whatever information we can.

Mr. SWEET. I understand that what you have said refers particularly to trawlers?

Mr. OTTE. Absolutely.

Mr. SWEET. And not to other kinds of fishing vessels; and you say that the advantage of going into Canadian ports, that sort of thing, does not apply to trawlers as to the other vessels. Is that what you say?

Mr. OTTE. Yes, sir.

Mr. SWEET. They don't use bait, so that privilege would amount to nothing. But there are other kinds of fishing engaged in by people of our own country quite extensively to which the advantage would be greater than to trawlers of admission to Canadian ports? That is true?

Mr. OTTE. Yes; but I couldn't talk on that subject.

Secretary REDFIELD. Mr. Burns, will you furnish us with a table of operation costs on the basis suggested?

Mr. BURNS. Mr. Secretary, we shall be very glad to do what we can. Our records are pretty public. We don't try to deceive anybody, although the United States Government might at other times seek to indict us for what they now ask us to do. That would seem to be a contradiction of theirs. But we shall be glad to give you our operating costs. Of course, we don't want to have too much get to our brothers the Canadians, because they are bound to be our competitors ultimately. But I can not understand how it would help the commission, for the reason that there have been very few steam trawlers operating out of Canadian ports. It is only recently that



they have been operating—I think a matter of a couple of years. The first year of the war they were operating very little, and now they have several more trawlers, either chartered or owned by Canadians. These trawlers are coming over here under charter. I don't know whether they are working independently or not. But that is where the great competitive factor is coming, mostly from the other side. It was our impression before the war that it cost us twice as much to build a trawler as it cost in England, and that was one heavy setback—what it cost us to get a vessel ready for sea. But if those figures would be of any service to you I have no doubt our company would be glad to turn them over to the commission.

Secretary REDFIELD. I ask you to do so, Mr. Burns, with the understanding that, while they will have to be known to our Canadian colleagues on the commission, they will not be made public in this country or in Canada without your consent; and, in general, I will say, too, gentlemen, that if there are facts which in your judgment bear upon the discussion of any of these questions in which there is no principle involved that requires their public use they can be handed in confidence to the commission and will be made known to all of its members, but the confidence will be respected.

**STATEMENT BY MR. ARTHUR L. MILLETT, OF THE BOARD OF FISH COMMISSIONERS OF MASSACHUSETTS.**

Mr. MILLETT. Mr. Chairman. I would like to ask one question, for information, if I may. I would ask if it is in the province of this conference to decide anything regarding a proposed extension of the 3-mile limit to 12 miles on the part of Canada, on the beam trawlers?

Mr. FOUND. Extend it from 3 miles to 12 miles?

Mr. MILLETT. Yes.

Secretary REDFIELD. That is a matter new to me, Mr. Millett.

Mr. FOUND. If I may explain that, as far as Canada is concerned, it applies entirely, and can only apply, to trawlers operating from Canada as a base. Canada's jurisdiction, internationally, of course ceases at the territorial limit of 3 miles from shore. But with a view to protecting certain inshore boat fishermen during certain times in the year, in cases where certain of our trawlers would otherwise be dragging up their hand lines, we have refused privileges to our own trawlers unless they undertake to fish not closer than 12 miles from shore at certain times in the year. Of course, that prohibition could not be extended to vessels beyond the Canadian jurisdiction.

Mr. MILLETT. I take issue with you in that matter, because I have personal knowledge of a steam trawler belonging to the United States sailing out of Boston, making a catch, going to Halifax, and being obliged by the collector at Halifax to sign a paper to the effect that he would not do that sort of thing. He was asked to sign such a paper for the year.

Mr. FOUND. That is, a trawler operating out of Halifax?

Mr. MILLETT. No.

Mr. FOUND. Then it is quite obvious that it was beyond the right of any officer in Halifax to do that. He would be going beyond his rights. That is a regulation that is only applied, and can only be applied, to Canadian vessels. In fact, I think I have the regulation here.

Secretary REDFIELD. While Mr. Found is looking for the regulation, Mr. Millett, you say you have personal knowledge of that?

Mr. MILLETT. Yes, sir; knowledge first hand from the skipper, the captain of the vessel.

Secretary REDFIELD. You mean that the skipper told you so?

Mr. MILLETT. Yes, sir.

Secretary REDFIELD. So that is your first-hand knowledge, the statement of the skipper?

Mr. MILLETT. Yes, sir.

Secretary REDFIELD. What vessel was it?

Mr. MILLETT. The *Seal*.

Secretary REDFIELD. When did this take place?

Mr. MILLETT. Within six weeks, just after the Halifax disaster.

Secretary REDFIELD. Give us the full statement of the captain, all the details, bearing in mind, of course, the fact that in view of the statement the commission will call upon the collector at Halifax to state his side of the case.

Mr. MILLETT. Yes.

Secretary REDFIELD. In order to have the record complete and not ex parte. But will you be good enough to state all the facts as the captain stated them. By the way, is the captain here?

Mr. MILLETT. No.

Secretary REDFIELD. Well, state the case as fully as you can.

Mr. MILLETT. I think it was something like this. The captain put into the port of Halifax some time after the disaster, not knowing anything about the disaster. Of course he was cast down by the calamity. In the course of his business he went to the customhouse, and he tells me that while there the collector or the deputy, I won't say which, but I think he said the collector, produced this document and asked him if he would sign it. The captain asked him what it was, and they talked it over. He was asked to sign this agreement not to fish within 12 miles of the Canadian coast for a year, and in reply he said, as he tells me, "My friend, Mr. Collector, I can not tie this vessel up. I do not own her. There is a couple of hundred thousand dollars here at stake. But I will tell you what I will do. I will be a good fellow about it and sign it for this trip if that is any good to you," which he did.

Secretary REDFIELD. What was the consideration for the agreement?

Mr. MILLETT. None. That is why I ask you, Mr. Secretary, sitting here in this matter, to take that into consideration.

Secretary REDFIELD. Certainly. Then I understand your statement to be that without any consideration at all a Canadian officer asked the captain of an American vessel to enter into an agreement not to fish in waters that both parties knew were not under the jurisdiction of Canada?

Mr. MILLETT. Yes, sir; within 12 miles.

Secretary REDFIELD. And you accept that statement as probably correct, Mr. Millett?

Mr. MILLETT. I should have no hesitancy in doing so, sir—knowing the man.

Secretary REDFIELD. And is it not a fact that the agreement when signed was null and void?

Mr. MILLETT. That is what I don't know. I am not a lawyer.

Secretary REDFIELD. Is it not a fact that if we required such an agreement in the port of Boston from the captain of a Canadian vessel, he would tear it up, and that there would be no power under the law to enforce such an agreement?

Mr. MILLETT. I don't know about it.

Secretary REDFIELD. But, pardon me, isn't that fundamental, this being a case outside of the territorial limits?

Mr. MILLETT. Well, I didn't know but what the collector was trying to enforce the 12-mile provision of the North Sea convention; and, if so, I thought it is a matter that might be taken up here.

Chief Justice HAZEN. There is no such intention on Canada's part.

Mr. MILLETT. Well, that is a matter that was brought to my attention, and I thought that this would be the time to thresh it out.

Mr. FOUND (reading):

The master of every steam trawler at any port on the Atlantic seaboard of Canada shall before departure come before the collector of customs, or other proper officer, and deliver to him a report outwards under his hand of the destination of such vessel, stating her name, country and tonnage, the port of registry, the name of the master, the name of the owners, and the number of the crew, and such other particulars as are demanded by such officer.

The report outwards shall also contain a declaration to the effect that the master of the steam trawler, in consideration of the clearance granted by the officer of customs, undertakes and agrees to restrict all steam operations by such steam trawler to waters which are at least 12 miles distant from the nearest shore on the Atlantic seaboard of Canada, during the calendar year in which the clearance is granted.

That is a regulation made under the authority of the customs act on the 6th of April, 1915, and that was amended so as to apply from January to May 1 in certain waters.

Mr. MILLETT. How can they ask an American skipper to sign that.

Mr. FOUND. If that was done, no doubt it was a mistake on the part of the collector of customs at Halifax. The reason for the regulation, as far as Canada is concerned, is undoubtedly the reason that has been stated. That is, these trawlers were operating around near the coast, largely for haddock. There were hand-line fishermen operating trawls, as has been stated, and they were having their trawls torn up by the steam trawlers. But in the case of vessels other than Canadian vessels, operating outside the three-mile limit we have no power to stop their doing it. But there were vessels operating from Canso and other Canadian ports—Canadian vessels—and it was to control those during that particular time of the year that the regulation was made.

Mr. MILLETT. I will say that there are other men in the room who can corroborate my statement, and so I have brought the matter up. As is well known, there are places like Cape North, Ingonish, and Scatteredee, where the chances for American fishermen to fish are very valuable. If we are going to have some such limit as this put on it we should know it. There is a great deal of spring fishing there, as well as at other times in the year. If we are going to be kept 12 miles off, you know that we can not go 12 miles off and get fish.

Chief Justice HAZEN. We have no power to keep your vessels or the vessels of any other nationality 12 miles off the shore. We have a right to do so within 3 miles of our shores, the same as you have



the right to keep others away from your shores for a distance of 3 miles, but that is all.

Mr. MILLETT. That is what I thought.

Chief Justice HAZEN. We have no jurisdiction to do otherwise.

Secretary REDFIELD. I will ask a further question at this point, inasmuch as Mr. Millett has brought the matter up, so that we may have it perfectly clear in our minds. Mr. Chief Justice, is it not a fact that if the Canadian collector of customs at Halifax made such a requirement it was null and void when it was made?

Chief Justice HAZEN. Absolutely.

Dr. SMITH. I would like to ask this question while the matter is up, in order that I may be perfectly clear about it. If this regulation of the Canadian Government is intended to apply only to Canadian vessels, what is the significance of the requirement that the master of such vessel shall sign this paper, giving the name of the vessel, the country of the owners, the tonnage, and other items, which indicate that some other country than Canada may be involved?

Mr. FORD. The trawlers that were operating at that time belonged to some extent in Great Britain and were operating under an agreement of sale of catch to certain firms in Canso. Therefore, this was worded so as to apply to such vessels, operating from a Canadian base, as such. The only way we could get at these trawlers would be when they came back again with their catch. So it was intended to cover those vessels coming in and out from a Canadian port.

#### STATEMENT OF MR. FRED L. DAVIS, PRESIDENT GLOUCESTER BOARD OF TRADE.

Mr. DAVIS. Mr. Chairman, I only rise to confirm partly the report made by Mr. Millett relative to this trawler. I got the same information. I think Mr. Millett failed to make one statement relative to this, which gives the real pith of the whole matter. It is that this vessel went into Halifax for water and was refused the water unless the captain signed this agreement. He was out of water and he went in to replenish his water, and was refused the water unless he signed this agreement, and he refused to sign it for more than one trip. He said, "I am the captain on this vessel for this trip and don't know anything about what is proposed further than this trip. I don't know what the owners may want to do with the vessel. I will sign it for this trip, because I have no intention of fishing, anyway."

Secretary REDFIELD. Where does your information come from?

Mr. DAVIS. From the owners and the captain.

Secretary REDFIELD. Where did the owners get their information?

Mr. DAVIS. I presume from the captain.

#### STATEMENT BY CAPT. CARL C. YOUNG, OF GLOUCESTER.

Capt. YOUNG. Mr. Chairman, the captain was Henry Atwood, and that is the statement he gave me. Of course, I know him very well. He went in for water, and when he went to the customs they asked him to sign this document not to fish inside the 12-mile limit for a year. The steamer was the *Seal*.

Dr. SMITH. Of Boston?

Capt. YOUNG. Of Gloucester.

Secretary REDFIELD. And did he tell you who the officer was who made that request?

Capt. YOUNG. No; because when we go to the customhouse at Halifax we don't try to find out about who particular officers are. Of course, there is another thing that ought to be taken into consideration, and that is that this was at the time of the disaster at Halifax.

Secretary REDFIELD. Was the captain sure that the particular person who made this request knew that it was an American vessel?

Capt. YOUNG. Yes, sir. The captain is a pretty fair business man, has been in the business for a number of years.

Secretary REDFIELD. How long had he been on that job?

Capt. YOUNG. This was his first trip on the job.

Secretary REDFIELD. How long had he been fishing?

Capt. YOUNG. Oh, fishing perhaps 20 to 25 years.

Mr. BURNS. I have no doubt that everybody here in the fish business will vouch for Capt. Atwood's integrity.

Secretary REDFIELD. There is no question about that, not at all. But the thing that astonishes me is that the captain, with his experience, should not have known that this could not be done. I take it that everybody who has had anything to do with the sea at all would know that a document like that after it was signed would not be worth anything, that it could be immediately torn up and that no power would exist anywhere in the world to enforce it. We have just heard the honorable Chief Justice say that. The thing is on its face so foolish, so absurd, to my mind, as to bear on its face evidence that it was a blunder of the man, the individual. Certainly every seafaring man knows—and I know myself, because, although not a seafaring man, I have had to do with seafaring men for many years—every seafaring man I ever had to do with knows that the right of a nation to enforce its domestic laws cease at 3 miles offshore. If the United States, through Congress, passed a law regulating what should be done outside of that 3-mile limit, and should instruct the Department of Commerce to enforce it, and we did enforce it through our officers in this court of Boston, it would be perfectly worthless. No nation on earth can do a thing of that kind; and I am a little bit surprised, gentlemen, that none of you appears to have told the captain so.

Mr. DAVIS. I don't think it is so surprising, Mr. Chairman. When our men go down into Nova Scotia waters with their vessels and go into harbors, they feel that they must live up to the rules.

Secretary REDFIELD. Well, that was not a rule. It was null and void.

Mr. DAVIS. That is all right, but we have had trouble there, a good many people have had trouble there. When a thing is put up to you, you do the best thing you can. If you telegraph to the United States for any assistance, you are held up for awhile.

Secretary REDFIELD. Another question—he refused to sign the paper?

Mr. DAVIS. For a year.

Secretary REDFIELD. Did he get a clearance?

Mr. DAVIS. He did.

Secretary REDFIELD. How do you account for the fact that he got a clearance after he refused to sign the paper?

Mr. DAVIS. He signed the paper for one trip.

Chief Justice HAZEN. Made a compromise.

Secretary REDFIELD. So we understood that there is in existence this document signed by the captain agreeing for one trip not to do this?

Mr. DAVIS. Yes, sir.

Secretary REDFIELD. It must be in existence in the customhouse in Halifax, I suppose.

Chief Justice HAZEN. Without any question, the official at Halifax made a mistake. This paper will probably be found on the records.

Secretary REDFIELD. In the meantime I think you can take the assurance of his honor the chief justice that there is no power on the part of any Government to do such a thing.

Mr. FOUNE. And officers will be so instructed that there will be no repetition of it.

Capt. YOUNG. What would it mean, taking out a license in Canada?

Chief Justice HAZEN. It would mean that any fishing vessel representative would go to any customhouse on the Nova Scotia or New Brunswick coast, pay a dollar for a license, and that that would entitle the vessel to sell fish and entitle it to the same privileges that our vessels have.

Capt. YOUNG. Can it sell fish free of duty?

Chief Justice HAZEN. The question of duty is not being raised here. The question of tariff is one for each country, and it is not being raised in this inquiry.

Capt. YOUNG. Well, that is the question. Can we sell fish without duty there? What is the reason why you ask us to pay a dollar license fee for our vessels? I would like to have that explained.

Chief Justice HAZEN. We are giving you a privilege in our ports and are doing it by way of license for that merely nominal sum, \$1 a year.

Capt. YOUNG. But you put a restriction on us by a license. Why not have it the same as in America—come into our ports and do just as you like? I believe in that. But why not do the same to us down in Canada?

Chief Justice HAZEN. Would you have objection to paying a dollar for a license fee?

Capt. YOUNG. But there is no duty on fish in America. What is the reason why you want to charge us a dollar? That is a question we can not understand in Gloucester. When the board comes down there they will want to find out the reason for paying the license fee. For instance, if you don't want to give us a license, you haven't got to do so, and then you might want to take the license from us to-morrow, and you could do it. It has been done.

Secretary REDFIELD. I understand that the difficulty in your mind is in having to pay a dollar a year?

Capt. YOUNG. Yes; it isn't the dollar at all; not the dollar, but the principle of paying the dollar for the license.

Chief Justice HAZEN. You see, one of the difficulties in the matter at the present time is that there is a treaty. Under that treaty you have the right to come into our ports for certain purposes. It is proposed, by making an agreement, to override that treaty. There-



fore we say to you. "Come into our ports and have all the advantages we have." That is what is proposed; that is what is being discussed here. I don't say that that will be agreed to here or that we will agree to it. There is simply an attempt being made to arrive at a proper agreement between both countries, we representing our fishermen and your commissioners representing yours. There must be a mutual agreement, must be mutual concessions, of course. So we say, "Here is the treaty, which we can override by an agreement. If you will pay a dollar a year as a license fee, you can come into our ports and enjoy the advantages that our vessels enjoy. As far as amount is concerned, it makes no difference whether it is a dollar or a cent. The idea is simply to allow the American vessels to come into our ports.

Capt. YOUNG. But under the treaty we must enter and clear.

Chief Justice HAZEN. This whole thing is a matter for consideration, of course. It is a very proper question for you to raise, Captain, and a proper question for consideration.

Capt. YOUNG. It handicaps all fishermen a little bit. We go into a Nova Scotia port for bait, and then we also have to buy a license.

Chief Justice HAZEN. Let us see how this would work out, practically. You go and enter when you visit ports—go to the custom-house?

Capt. YOUNG. Yes, sir.

Chief Justice HAZEN. And when you enter you say that you want a license, and hand over a dollar and the collector hands you a license. Is there any delay about that?

Capt. YOUNG. Sometimes a little delay.

Chief Justice HAZEN. How much?

Capt. YOUNG. According to where you are.

Chief Justice HAZEN. You have to have some delay in making the entry, anyway?

Capt. YOUNG. Yes, sir.

Chief Justice HAZEN. And in making the entry you have to see the collector or the officer there, and he issues the license. So I don't see why that makes any additional delay.

Mr. SWEET. Your point is that it is not done in one country and has to be done in the other?

Capt. YOUNG. Yes; I like to get fifty-fifty. [Laughter.]

Chief Justice HAZEN. You have raised a proper question, Captain.

Mr. SWEET. And, in the final analysis, I would like to raise this question: Whether it is advisable for either country to require a license to be given. It might be better to eliminate it entirely in both countries.

Chief Justice HAZEN. Yes.

Secretary REDFIELD. Before leaving the subject let me simply repeat what Mr. Found, the superintendent of fisheries in Canada, has said here, that if it shall appear that the customs officer in Halifax made a mistake—and it is admitted to be a mistake, if it was done—he will be instructed not to make similar mistakes in the future, and similar instructions will be given generally to the customs officers.

Mr. MILLETT. Of course, it was not a matter of any consequence to me personally. It has come to my attention, and I simply brought it up here.

Secretary REDFIELD. And we are glad to have you bring it up.

Chief Justice HAZEN. It is one of those things that causes a certain amount of irritation and annoyance, and should not have occurred. Steps will be taken to prevent anything of the sort in the future.

Mr. BURNS. And we should take the disaster into consideration and excuse it. Of course, everybody was probably worked up at that time.

#### FURTHER STATEMENT BY CAPT. M. H. NICKERSON.

Capt. NICKERSON. Mr. Chairman, will you allow me to say a word at this time? I think it is absolutely necessary to maintain the integrity of the old treaty. There is an old instrument dating back to the days of George III, just 100 years ago, that is in full force to-day, and the *modus vivendi* was merely a rider which suspended its full operations, as has been explained here. Now, if the Canadian provision should admit an American fishing boat to those privileges without the payment of a nominal sum of \$1, it is clear that that would be overriding the whole treaty, which Canada is not competent to do, as the United States and Great Britain were the only signatories to that convention. I think that view of it is correct, Mr. Chief Justice?

Chief Justice HAZEN. I think that is one view of it, Captain.

#### FURTHER STATEMENT BY MR. H. C. WILBUR

Mr. WILBUR. Mr. Chairman, I understand from what has been stated here that Canada has a restriction which it attempts to enforce outside its territorial limits against its own trawlers through a restriction in connection with the issuance of a license. That has been coupled here with the statement of the order or regulation which was read by Commissioner Smith, in regard to the master of the vessel giving to the authorities the name of the vessel, the country, and so on. It seems to me, as I heard that read, that the customs official in Canada construed the law as his mind understood it. He really acted in accordance with the letter of the law, as it reads, although he was mistaken in his application of it. But this is the suggestion I have in mind now relevant to that question. If Canada can enforce such a provision, by refusing to license trawlers unless they agree to comply with it, at certain times in the year, why is that not in the interests of the fellow who goes in for hand lining, and why could not something of the sort be done here? In talking about trawlers, we have perhaps overlooked the other fellow. Now, I do not understand that that restriction in regard to the 12-mile limit is violated by the Canadian trawlers, if they submit to that condition, and I believe in this era of good feeling, in which it is proposed to deal with questions that have been bothering the people of both countries a good deal in the past, it might not be well for this country to take some action along that line. We will all, then, be in the same boat, and the hand-liner will be protected. If they can protect their hand-liners up there by a mere restriction apply-

ing between the 3-mile territorial limit and the 12-mile limit, why can not we do it? The trawler is not harmed, and certainly the small fellow is protected.

Mr. SWEET. I think that is an excellent idea.

**STATEMENT BY FORMER STATE REPRESENTATIVE WILLIAM F. DOYLE, OF EAST BOSTON.**

Mr. DOYLE. Mr. Chairman, I simply desire to call the attention of the commission and of the Secretary himself to the lobster situation. We have heard statements here in regard to the situation on the Maine coast and in Nova Scotia. I think the only way that the lobster business can be kept going, the only future for the lobster business, lies in a permanent understanding between both countries as to what size lobsters can be caught. Maine has a 10½-inch law; Massachusetts has a 9-inch law. I believe the future of the lobster industry, if it is to have a future, lies along the Nova Scotia coast. But Canada, Nova Scotia, have canneries taking lobsters but 4 or 5 inches long and canning them for export. Those are the lobsters that should be saved.

Secretary REDFIELD. Where is that?

Mr. DOYLE. I have been there and have seen it myself, personally, all over Nova Scotia. I have seen them canning 4 and 5-inch tinkers, millions of them, Mr. Secretary, and there lies the future of the lobster industry. We are the port of entry for the lobsters of Nova Scotia, here in Boston, and Boston is practically the export market for the lobsters of the world.

I think, while there is the present feeling now existing between Canada and our country, a feeling which I hope will always continue, and while this commission is existing, something will be done. I hope both countries will honestly get together, and then there will be some hope for the future. Look into this matter of the canning of tinkers.

I know the chairman of the fish commission in Massachusetts, because I had the pleasure of serving in the legislature, and I served on the committee in which he was interested. He could tell you of hundreds of crates of lobsters that he has handled himself that have come to the Boston market, with tinkers, which have been dumped overboard, quite recently. I certainly think the present situation should be corrected. I don't know the disposition of the bill that was before the Fish Commission.

Secretary REDFIELD. Perhaps Mr. Millett can inform us in regard to that.

Mr. MILLETT. I would say that there were 36,000 lobsters of illegal length, some berried lobsters, and those were put overboard at various points along the coast, at regular lobster fishing spots, so that they might grow—37,000, if I remember aright, that did not come up to our 9-inch law. They came from Nova Scotia.

Secretary REDFIELD. Can you define the word "tinker." Mr. Doyle?

Mr. DOYLE. Anything under 9 inches.

Secretary REDFIELD. This raises an interesting point. I have had occasion personally to see a good deal of this situation in connection with lobsters.



Mr. DOYLE. You will see the sort of thing I have referred to all along the Nova Scotia coast. I happened to be entertained by a distinguished friend there, who served in the Canadian Parliament, and I saw a good deal of it.

Chief Justice HAZEN. There is no question about it; along parts of the Nova Scotia coast there is no size limit, but the season is short. In many places their only chance to dispose of lobsters is by canning them, as they do not have access to the New England market. The time is approaching when canning will be abolished altogether at points to this side of Halifax.

Mr. DOYLE. It will have to be.

Chief Justice HAZEN. It is that sort of thing that has caused the condition of affairs about Passamaquoddy Bay, in New Brunswick. But there are places that I could point out to you where they will have to allow canning or the lobsters will be of no use at all, places too far away from centers to which they might be transported. For instance, there are places along Northumberland Straits and Prince Edward Island, and along parts of New Brunswick and the Gaspé coast.

Mr. DOYLE. I think that is absolutely right; but if they will prevent canning anything below 9 inches, it will preserve the industry.

Secretary REDFIELD. That is, your criticism is directed not against the canning industry in those cases, but against the size of the lobsters canned?

Mr. DOYLE. Yes; it stands to reason that if they are going to take lobsters 4, 5, or 6 inches in length, tinker lobsters, and can them, you will see the same results that you have seen around Passamaquoddy Bay, that the lobsters will disappear, because Nova Scotia now furnishes practically all the lobsters. The same thing will happen in Nova Scotia that has happened elsewhere.

Secretary REDFIELD. Thank you, very much, Mr. Doyle. This is very helpful.

#### STATEMENT BY MR. FRANK S. WILLARD, LOBSTER DEALER, OF OF PORTLAND, ME.

Mr. WILLARD. Mr. Chairman, there are no people any more interested in this matter than the people down in Maine. The great trouble is that there is a conflict of laws in regard to the lobster industry. I think we ought to have a Federal law on the subject. I have been in the lobster business for a number of years and have seen it gradually going to pieces. The law down in Maine is all right if you can enforce it, but you have to have the different States and countries get together on the matter, in order to get anywhere. Under the present situation the business is simply being driven to Boston and New York. It is going away from Maine altogether. I would suggest that the lobster industry be made the subject of a Federal law and that it be enforced. Then everybody will have to be on equal terms.

Secretary REDFIELD. I think, in view of what Mr. Willard has said, and in view of what Mr. Doyle and others have said, that this may be the proper time, before adjourning in a few minutes, to say

something which will express our view of the seriousness of the lobster situation. We are ready to cooperate with money and with men in almost any way to keep the lobster industry going. We run a hatchery now at Boothbay Harbor, in Maine, which, from a certain point of view, may be said to have had a measure of success. We are quite prepared at Washington to consider asking for authority and for funds to do more, if there can be some reasonable cooperation in New England on the subject. But, and this is the point, we are also being forced reluctantly to consider whether, in the absence of effective laws effectively enforced, we are not coming close to the time for the application of a mandatory law of Congress, which may or may not have been called to your attention, which requires that the United States cease to spend money, cease operations, wherever State laws are not sufficiently enforced to protect a fishery in the judgment of the Commissioner of Fisheries.

In such a case, then and there we are mandatorily instructed to stop operation, and we have had in the back of our minds the question whether we must not stop the Boothbay lobster hatchery. We have it at the moment under serious consideration. I do not speak of that in any sense. I will say to you gentlemen who are interested in the lobster business, as a bluff. In Texas we failed to find the State laws sufficient to protect our officers in the full and free discharge of their work, under the provisions of this mandatory law, and insufficient to provide protection for one of our principal hatcheries, and we closed the hatchery. It is idle now, and the plant has been transferred elsewhere. We found in Maryland, at Havre de Grace, the laws of Maryland insufficiently enforced to protect the shad industry, and we have closed the shad hatchery at Havre de Grace. Observe, this is not a matter of choice with us. It is a mandatory law, and we have no choice. The moment it becomes clear that State laws are insufficient for the job or are insufficiently enforced we are prohibited from spending money to encourage the fishery. That is a very unfortunate state of affairs. I personally know a number of the poorer men who make a living out of their little motor boats on the coast of Maine. I have known them for many years, and have seen many of them grow up from childhood and go out on their first trips. But they are losing their livelihood, and it seems that it may be necessary for the United States Government to take its hands off unless we can agree upon laws good enough or well enough enforced to make it possible for the United States Government to continue.

(A recess was taken from 12.50 to 2.30 p. m.)

#### AFTERNOON SESSION.

The hearing was resumed at 2.30 o'clock p. m., Chairman Redfield presiding.

Secretary REDFIELD. The meeting will please come to order. I am informed, gentlemen, that there is a delegation present from the State of Vermont which desires to present certain facts with regard to the fisheries on Lake Champlain. Are those gentlemen here now?

(It appeared that the delegation referred to had not yet appeared.)

STATEMENT BY MR. JOSEPH A. RICH, PRESIDENT OF THE BAY  
STATE FISHING CO.

Secretary REDFIELD. Is Mr. Joseph A. Rich, president of the Bay State Fishing Co., present?

Mr. RICH. He is, Mr. Chairman, but is not president. I am connected with the Bay State Fishing Co.

Secretary REDFIELD. Mr. Rich, the commission is very much interested to get your viewpoint on the matters we were discussing this morning. I think you were present, were you not?

Mr. RICH. Yes, sir.

Secretary REDFIELD. We shall be glad to hear what you have to say.

Mr. RICH. There is the point that Capt. Young brought up. Will you read the first paragraph of those six points?

Secretary REDFIELD. This is not intended, by any means, to be inclusive or exclusive. The first memorandum was: "The proposed extension of the Canadian *modus vivendi* licenses to American fishing vessels, by whatever means they may be propelled, and the reduction of the annual fee from \$1.50 per registered ton to the nominal sum of \$1 per vessel, and that the renewal of the licenses from year to year be not conditional upon an order in council of the Government of Canada, but form part of the arrangement itself."

Mr. RICH. That does not say that they shall be subject to the same laws and regulations as Canadian vessels, but simply names what they will have for that \$1.

Secretary REDFIELD. Of course, this is only understood to be a condensed statement of the thing, and we shall be very glad to receive from you suggestions as to the form it should take. That is what we are here for.

Mr. RICH. I am only expressing my own opinion.

Secretary REDFIELD. And that is what we wish.

Mr. RICH. Well, that sounds like a big advantage, but it simply means a few dollars less. Of course, it is an accommodation, and it is worth something.

Secretary REDFIELD. It is understood by the commission to involve the extension of rights not now suggested to motor or steam vessels to those vessels. In other words, they are not now free to enter at all, except upon some special emergency; and this, as we are informed, would extend to practically the entire sea-going fleet the privileges now accorded to but a few vessels of that fleet.

Mr. RICH. That would be some advantage, quite a little advantage, and would be worth something.

Secretary REDFIELD. What advantage would that be, in your judgment, as a business man?

Mr. RICH. Well, vessels that are going there and paying the present amount wouldn't have to pay so much money. If it is extended to motor-driven vessels, vessels driven by other power than the wind, those vessels are increasing all the time, and there would be that many more vessels to take advantage of this for whatever it is worth.

Secretary REDFIELD. Then, aren't there other advantages, arising, for instance, from purchasing their supplies in whatever port they wish, the shipping of crews wherever they are to be obtained, the transshipment of fish in bond through to the United States, and the



selling of fish in the Canadian market whenever it might be found expedient to do so? Wouldn't those advantages induce a considerable number of vessels to go there if the tax were removed?

Mr. RICH. Why, it is not a question of tax. The vessels have been going there and taking advantage of it, and paying the tax.

Secretary REDFIELD. Yes; certain classes of vessels have found it worth doing, have they not?

Mr. RICH. With sufficient advantage they would pay the tax. The greater proportion of the fleet is at the present time, or will be in the near future, equipped with auxiliary power—crude oil or gasoline engines—and this opens that advantage to that many more vessels.

Secretary REDFIELD. The object, the purpose we want to see achieved—and we would like to get your opinion whether it is a desirable purpose—is to make just as completely as possible an absolute mutuality of interests, so that an American vessel entering a Canadian port shall receive the same treatment that it will receive in our ports or vice versa.

Mr. RICH. In reading over the terms and articles of the proposed agreement it seems, in the light of a trade, that we have some advantages to offer the Canadian fishermen, and the Canadian Government also have some advantages that they can offer to us. That is about it, isn't it—that it is in the nature of a trade?

Secretary REDFIELD. Why, in the nature of one offsetting the other, certainly. The question is whether this is a good bargain to make.

Mr. RICH. That is a matter of opinion, whether it is a good bargain to make.

Secretary REDFIELD. That is what we want to find out.

Mr. RICH. When it comes to opening our ports to vessels of Canadian registry to get clearances such as have been referred to, etc., in exchange for the same rights to American vessels in Canadian ports, it merely means swapping a market of 10,000,000 people for a market of 100,000,000 people.

Secretary REDFIELD. Well, on the American side isn't there some advantage in having the use of the Canadian ports for whatever purposes American captains may desire?

Mr. RICH. As I said before, that is, in my opinion, of considerable advantage, but isn't the other side of the thing to be considered, that in return for the opening of a market of 10,000,000 people you are opening up to them—to vessels of Canadian registry—a market of 100,000,000 people?

Secretary REDFIELD. Well, our ports are now open to vessels bringing their fish here.

Mr. RICH. As merchantmen.

Secretary REDFIELD. Yes; as merchantmen. There are certain obstacles in the way, as we know, that this would remove. That is, they can not go from Boston or from Gloucester direct to the fishing banks or the Atlantic, although the law seems to permit them, as a matter of fact, to go from the Alaskan ports, on the Pacific, to the halibut banks, without going to a Canadian port. Of course, the whole question is, whether there is any material advantage in the whole proposition. The Canadian fish are now admitted free, large

quantities of them. Do we, or do we not, wish, in view of the concessions they suggest, to have the largest and freest possible movement of food of this kind? Is it advantageous? That is the point. You see, it can be looked at from several viewpoints—from the point of view of the fishermen, from the point of view of the fishing-vessel owner, the fish dealer, or the factor, or from the point of view of the man who eats the fish.

Mr. RICH. There is no question that the people of the United States want cheap food and plenty of it; that they want it as cheap as they can get it; and that is what we all want, looking at the matter from the standpoint of the producer during normal times. These times are not normal. But during normal times it is common knowledge that British built steam trawlers, taking them for an illustration, can be built and operated for something like 50 per cent of what we could operate the fleet over here. If that trade is carried out, that you have outlined here, it means that when the times become normal, as they were previous to 1914, British steam trawler owners can take a fleet of trawlers, bring them to Canada, put them under Canadian registry, send them out with Canadian crews, fish on the Georges, or any of our local banks at certain seasons of the year, bring the fish to Boston, and that the American fleet would be handicapped by 50 per cent cost of operation in building and handling, as compared with them. I don't think the American fisherman asks for any charity, but you can not say to him, "Go ahead and produce fish," and then submit him to that 50 per cent handicap while doing it.

Secretary REDFIELD. Isn't it a fact that they can do that to-day, and how far does this handicap you?

Mr. RICH. I don't think they can to-day, because of abnormal conditions in New Brunswick and Nova Scotia. I think the prices of materials down there now are practically as high as they are here.

Secretary REDFIELD. I don't mean under existing economic conditions, but under the present law there is nothing to prevent the very thing that you speak of happening?

Mr. RICH. Previous to 1914, if that trade you now speak of was in force, it would have meant placing practically a 50 per cent handicap on American vessel owners and fishermen. In other words, to produce the same fish under the same conditions, we would have had to invest \$150,000 against the other man's \$100,000. Of course, that is guesswork, and I don't suppose you want me to do any guessing here.

Secretary REDFIELD. This law was passed in 1914?

Mr. SWEET. The Panama Canal act was passed before the war, and that was modified about a month after the war commenced in Europe so as to apply to all vessels, not only those built within five years, but all vessels, so that American registry, as the law stands to-day, is granted to a vessel of foreign construction. So the Canadian would have no particular advantage as the law stands now over an American or over a citizen of the United States in regard to the construction of the vessel, as we can buy our vessels in the same markets that they buy theirs. I was going to ask you if, under those circumstances, it would not be merely a question of wages or a question of operation.

Mr. RICH. Didn't that proviso apply exclusively to merchant vessels, principally owned in the United States, the biggest part of them

owned in the United States, and built a short time previous to the time when the act was passed? It didn't apply to fishermen, did it?

Mr. SWEET. Oh, yes. It applied to all vessels, as I understand; but as originally passed it applied only to vessels constructed five years, I think, previous to the passage of the act. But within a month after the war began in Europe that five-year clause was eliminated entirely, and as the law stands to-day American registry may be granted to any foreign-built vessel for any purpose, as far as I know.

Mr. RICH. I don't care to question that, but are you sure, for any purpose? As I remember at the time, it was for merchant vessels and not for fishing vessels. I looked it up at the time.

Mr. SWEET. According to my recollection no distinction was made. I think Mr. Quigley, our attorney, may recollect about that, whether the Panama act applied to fishing vessels.

Mr. QUIGLEY. I think we have the Panama Canal act here. I will look at it. (See pp. 105-106.)

Secretary REDFIELD. Fish became free, Mr. Rich, before the war began, with the Underwood tariff in 1913.

Mr. RICH. Sure.

Secretary REDFIELD. So that the Canadians have been free, with power vessels, and vessels of every kind, to bring fish in free, before war conditions arose.

Mr. RICH. I was not speaking of the tariff, but of the war conditions.

Secretary REDFIELD. Long before the war fish were free.

Mr. MILLETT. I would like to hear that statement again from you, Mr. Chairman.

Secretary REDFIELD. I say that fish were free under the Underwood tariff.

Mr. MILLETT. Fresh fish?

Secretary REDFIELD. I am not speaking of salt fish.

Mr. RICH. In regard to the tariff paid, I think Canada buys her gear in the same place we do. We pay a 60 per cent duty, coming into the United States. I think there is no duty on fishing gear going into Canada, is there?

Chief Justice HAZEN. That is correct.

Mr. RICH. Except 7 per cent war tax.

Mr. MILLETT. This indicates 43 per cent on trawl gear.

Chief Justice HAZEN. But if your vessels come into our ports and buy supplies there they will pay just the same price as Canadian fishermen pay. Perhaps, also, you can influence your Government, as there is no industry here that is protected by this particular duty, to abolish the duty. It is only a source of revenue.

Mr. RICH. But doesn't a part of this mean exchanging the market of 100,000,000 people for a market of 10,000,000 people?

Secretary REDFIELD. Pardon me, is that quite so? That is not quite the fact, is it, because already fresh fish is free in this market. It is not a question of exchanging a market of 10,000,000 people for a market of 100,000,000 people. By the present law fresh fish is free in this market. So I don't think that is a correct point of view. Any Canadian vessel that sees fit—and they do see fit and come here constantly—can bring its cargo of fresh fish into Boston or Gloucester to-day, and they bring a great many million pounds of it in. Now,



we are not altering that condition at all. It is simply a matter of saying to them, "You may sail direct to the fishing grounds from one of our ports instead of having to sail first to Yarmouth and then to the fishing grounds." They may come direct to Boston also from the fishing grounds, instead of coming first to Yarmouth and then coming here.

Mr. MILLETT. Do I understand that millions of pounds of fresh fish are coming into our market here free from Nova Scotia ports?

Secretary REDFIELD. What is your record on that, Dr. Smith?

Dr. SMITH. I could not give it offhand.

Secretary REDFIELD. But it is a fact that millions of pounds are coming in free?

Dr. SMITH. Yes; very large quantities are coming in.

Secretary REDFIELD. I would like to ask Mr. Millett in what respect he questions that?

Mr. MILLETT. Do I understand the statement to be that millions of pounds of fresh fish are brought in here free? In the first place, I understand that they are expected to change their registry before coming in. But I would ask the conference to make a statement in regard to that matter.

Secretary REDFIELD. Do you question the fact?

Chief Justice HAZEN. What is the question you raise?

Mr. MILLETT. About fresh-fish trips into Boston.

Secretary REDFIELD. I do not know at present whether the million of pounds I have spoken of have come into Boston or not, but we do know that many millions of pounds of Canadian fresh fish are coming into the United States.

Mr. BURNS. In Canadian bottoms?

Secretary REDFIELD. Canadian-caught fish?

Commissioner SWEET. Of course, a great many are brought in on the Pacific side.

Secretary REDFIELD. I am informed that 20,000,000 pounds have come in. I shall be glad to have further information on the subject.

Mr. RICH. There are hundreds of thousands of pounds of fish that come to Boston, fresh and frozen fish, the year round, winter and summer, free, but they come in merchant vessels and on railroads and steamers.

Secretary REDFIELD. I understand that. I am not attempting to make a technical point nor to trip anybody up on a technical point. We are here not to give information, but to get it, to learn and not to teach; but the fact remains that Canadian fresh fish comes in large quantities into the American market. I am not concerned in the question whether technically it comes on the fishing vessels, in a dray, by canoe, or by airplane. That is a technical question. We are only discussing at the moment whether there is free access to this market for Canadian fresh fish. Is anybody going to question that fact? If so, let him rise and let us see what the facts are. Does anybody doubt that fish, Canadian-caught fresh and frozen fish, comes free into the markets of the United States in quantity? Is that questioned?

Mr. BURNS. Mr. Secretary, has it not been the law that no fishing vessel could come direct from the fishing grounds into Boston?

Secretary REDFIELD. I am not discussing that question.

Mr. BURNS. Well, if it is a technical point arising under the United States law, and one that might, if necessary, be regulated, I had an idea that the question might be raised here and might be discussed.

Secretary REDFIELD. It is a perfectly proper question to raise and to discuss, but it is not the question that is being discussed at this time.

Mr. MILLETT. This is a matter of the most grave import to the fishing interests of this country, all the way through. We, as members of the commission on fish and game of Massachusetts, realize it perhaps more than anybody else. I had not intended to say a word on this matter seriously outside of raising any point that I thought might help you in your work, but I do want to quote from this. The first knowledge we had that this thing was even coming up was contained in a letter dated the 24th of January, just the other day, from Washington. That arrived here the 26th or 27th, so you can judge how much chance we have had to prepare ourselves on anything. That letter was sent to the commission on fish and game, and I understand was also sent to different firms and different boards of trade in Boston and Gloucester. My friend from Vermont here, Mr. Titcomb, got the same letter, and they got the same thing in New York. This enumerates six questions or points. Now, our existence depends on this thing.

Secretary REDFIELD. Well, what is your point, Mr. Millett?

Mr. MILLETT. If you will allow me to continue just a second I will point it out to you. You see, we are required or asked to discuss these six questions. Now, I have not seen any chance to discuss these questions in any way, shape, or manner. You have taken the whole matter up in a general way all the way through, and the minute a man gets up and says something he knows something about he is immediately squelched.

Secretary REDFIELD. Mr. Millett, I think you owe the commission an apology.

Mr. MILLETT. Well, I apologize now, Mr. Secretary.

Secretary REDFIELD. Your apology is accepted, provided you do not repeat the offense. What you have said is unworthy of an officer of the State of Massachusetts, and is not consistent with the truth. The first thing I said this morning was that there was no limit as to the time and the nature of the discussion.

Mr. MILLETT. We are trying to get ahead—

Secretary REDFIELD. If you will please let me say a few words more—there has not been and will be no effort to limit discussion. It has been invited and is now invited, fully and freely. But the commission is here to get the truth, and the only way to get the truth is by hearing what is said by those who appear, stating what they understand the facts to be, and then discussing the matters that are brought up. You are now breaking into a discussion of a subject at this moment, and breaking the whole current of the discussion of that subject: and in doing that you also undertake to cast reflections on the good faith of the conference and to accuse it of bad manners.

Mr. MILLETT. I do not do that, sir.

Secretary REDFIELD. You certainly did. No man has been squelched. Every man is permitted and will be invited to say what he wants. Your imputation is an unworthy one. No time limit has

been placed on the conference—one week, two weeks, three months, or four months. You may have all the time you want. You are not limited to to-day or to this place, and any such intimation as you have made is entirely unwarranted and is quite unworthy of an officer of the State of Massachusetts, sir. We were discussing with Mr. Rich a very distinct phase of this question—the question whether, as he stated it, this proposition, in short, was one which opened the markets of 100,000,000 people on the one hand to the markets of but 10,000,000 people on the other hand. To that suggestion I raised the question whether it was not the fact to-day, in substance, that our market is at the present time open to Canada. That was the only subject at the time being discussed. We were not discussing the nature of trading vessels, the nature of fishing vessels, but the mere fact as to the market being open. That was all. Upon the discussion of that question, if you will pardon me, you broke in with a matter of irrelevant concern at this time. I am not concerned, and said so, nor is the conference concerned, with the method of entering that market. But I think the fact stated is unquestioned. I think it is not true that this proposition makes such a change in the situation that it can be truthfully said to open the market. The fact is, as I understand it, at the present time, and I shall be glad to have Mr. Rich correct me, that fresh fish now comes from Canada to the United States free of duty. I think nobody rises to question that fact. I think the fact is that fish comes here—Canadian-caught fish—in large quantities. Does anybody question that? Now, if that is the truth, if fish is free to-day—

Mr. MILLETT. Fresh fish.

Secretary REDFIELD. We are talking about fresh fish, and nothing else; we are not talking about chestnuts or boiled eggs. We are talking about fresh fish, and it is not necessary to remind us constantly, please, of the subject we are talking about. If that is true, that fish is now free, and if it is true that quantities of fish are coming in now, whatever the way in which they come in, is it then true to say, is it correct as a matter of judgment to say, that this change is of such a character that it can be correctly described as opening the markets of 100,000,000 or 110,000,000 people as against those of 10,000,000 people? That is the subject we are talking about.

Mr. MILLETT. Mr. Secretary, if I have offended you in any way, or if you take it in that way or if your board takes it in that way, I offer my abject apology. But I want to state in extenuation this fact: I am very much interested in the fisheries. I have made a very full and complete study of them for 28 years, as my friend, Dr. Smith knows. I am wrapped up in the subject. I try to look at it not simply from the standpoint of the fisherman, of the owner, but from the standpoint of the State of Massachusetts. If I have erred, sir, I beg your pardon.

Secretary REDFIELD. That is very satisfactory.

Chief Justice HAZEN. Mr. Chairman, it seems to me, if I may be permitted to say so, that we are getting a little away from the point at issue. Fresh fish is brought into the United States at present not only from ports in Canada, but from Newfoundland and from every other place. From our returns for 1915-16 I find that the fresh fish brought into the United States that year, from April 1, 1915, to March 31, 1916, was as follows: 2,574,900 pounds of cod; 31,229,300 pounds of herring; 4,583,600 pounds of mackerel; 6,278,300 pounds of lobster; 5,797,100 pounds of smelts. I am referring only to the figures for fish



in Atlantic ports, not the Pacific ports. This is fish brought into ports along the Atlantic coast of the United States, free of duty, under the Underwood tariff, which went into effect, as you will recollect, in October, 1913. It was not an agreement between the two countries at all, but was in the interest of the people of the United States, as a matter of domestic policy, without any question of agreement or quid pro quo. Fresh fish were placed on the free list that year, and have been continued on that list ever since.

#### FURTHER STATEMENT BY CHIEF JUSTICE HAZEN.

Now, I think the manner in which the questions here have arisen should be borne in mind at the present time. This is a conference of representatives of both countries, in which the question of the admission of fish free into the United States from Canada is not an issue, because fish is already so admitted into the United States as a matter of domestic policy of the United States. The question has arisen whether the privilege of taking out such licenses as are now given under the *modus vivendi* in Canada should not be extended to all vessels of the United States, no matter how propelled. But I repeat, as I have already pointed out, it must be borne in mind that the United States in making fish free was considering simply its own domestic interests. It did that because it thought it was in the interests of its own people. There is no certainty of any such policy continuing. A different policy might be put into effect at any time by the existing government or a succeeding government. That being the case, there are other matters that should be considered, and the other matters that we pointed out should be considered are those that have already been suggested. There is the question of extending the *modus vivendi* licenses to any American vessel, no matter how propelled. On the other hand, we point out that if fish from Canada are admitted here free that does not give to our fishing vessels the right to bring fish in here and clear again for the fishing grounds on the high seas, then returning here before going to a Canadian port. Having caught their fish they have had to go to a Canadian port and then transfer their catch to a trading vessel, or have to take out registry as a trading vessel before coming to an American port. This has caused delay; and then, having brought the fish into an American port, they could not clear again for the fishing grounds. The result of the correspondence between the Department of Commerce in the United States and the Department of Naval Service of Canada was a suggestion by your Government that a conference be held to consider these matters.

The question is whether an arrangement can be made that is of advantage mutually to both of us, fair and reasonable. We have thousands and thousands of people in Canada who will think that Canadian interests are being absolutely sacrificed if the *modus vivendi* licenses are extended. There are probably people in your country who think American interests will be sacrificed if a modification is made of the navigation laws or customs laws. It is, of course, desirable that an arrangement be made between the two countries that will possess elements of stability, because to-day a United States fisherman has no right of a permanent character in Canadian ports at all. Year after year when the bill to extend the *modus vivendi* has been introduced it has been criticized, and at

any time the extension of the *modus vivendi* may be refused, and if that should happen the United States fishermen at once go back to the rights conceded to them and agreed to under the treaty of 1818, under which an American fisherman can only go into a Canadian port for the humanitarian purposes of shelter, repairs, wood, and water. Therefore, the question naturally arises whether a mutually beneficial arrangement can not be made, one that is fair and right to the interests of both countries? We say nothing about the tariff. Your Government can at any time impose a tariff upon fresh fish, and it is up to our Government to abolish the tariff of 1 cent a pound, which I do not think is of any importance to our people to-day. In this matter I speak personally, of course. The matter of tariff is simply left where it is, as a matter of domestic policy in the government of either country. But we would be making an arrangement that we thought was desirable for both parties, and if it is agreeable to both to arrive at such an arrangement it will remove a great deal of friction and make things much easier and more pleasant in every way—at least, I should hope that would be the case—for fishing vessels of both countries. The question simply boils itself down to that in a nutshell and nothing else.

#### FURTHER STATEMENT BY CAPT. NICKERSON.

Capt. NICKERSON. Mr. Secretary, might I be permitted to offer a suggestion right in connection with this third point? First, the Canadian interior is now mostly supplied from the decks of British beam trawlers, landed at Hawkesbury, forwarded for the most part by the Intercolonial Railroad, the Dominion of Canada, of course, paying part of the freight charges. Except the port of landing, no point in the maritime Provinces provides for transit over the line within their limits. The corporations interested and directly concerned have their headquarters in Montreal or some city farther west, and presumably in Europe. As a local industry this branch of the business is not of paramount importance.

Second, the fish areas adjacent to the western coast of Nova Scotia lie closer inshore and are more productive than the banks of the eastern shore of the belt. The products in this part of the Province, whether landed from beam trawlers, schooners, or small boats, could be forwarded to Montreal and points west through St. John or Portland with less than half the time and expense that is necessary by the established route. The fish could be put down at its destination with no shrinkage and in prime condition. Local dealers would derive something from the handling of these goods and the other provincial forwarding port would profit in like manner.

Now, this being the case, would it not be advisable for the Canadian Government to open the highway for this routing through the Canadian Pacific or Grand Trunk and thus effect a great saving of time and expense, beside giving our inland fish-eating population the real article, almost alive and flipping? Then the Hawkesbury trawlers could devote themselves to fishing for the European supply and the Nova Scotia boats could fish for the home market, developing it more efficiently from year to year, thus avoiding the competition, if nothing more, arising from running their fish to Boston and flooding the market of the New England producers.

Secretary REDFIELD. Mr. Rich, dropping for the moment the matter of lobsters, it appears that something in excess of 43,000,000 pounds of Canadian-caught fresh fish entered the markets of our Atlantic coast in the year between April 1, 1915, and March 31, 1916. I am now looking for information. I have no information on the subject myself and know nothing about it. In what sense would it be true that the plan whereby Canadian vessels would come direct into American ports and would go direct from American ports to the fishing grounds, as they are now doing upon the Pacific coast, would be opening the markets in a sense in which they are not now open? Having the facts as they have been stated before you, in what sense would that be true, if at all?

#### STATEMENT OF JOSEPH A. RICH—Continued.

Mr. RICH. Why, I can only cite, perhaps, what might be done. We never know what is going to happen.

Secretary REDFIELD. I want to get your opinion.

Mr. RICH. If it is true that in normal times they can build steamers in England for practically 50 per cent of what they can be built here—

Secretary REDFIELD. Excuse me; you know you can buy those vessels and use them in our trade.

Mr. RICH. Under Canadian registry.

Secretary REDFIELD. I think not. We are looking into that. Excuse my interruption and go right on. I am sorry to have interrupted you. I suppose you meant that that would give them a decided advantage as far as it went.

Mr. RICH. If we could build a vessel as cheaply as a British-built vessel could be built in normal times, I don't see that they would have any advantage over us in that respect.

Secretary REDFIELD. Would your experience lead you to think, if forty-three and odd million pounds of fresh fish per annum is now coming into Atlantic ports, that a change whereby a Canadian vessel, instead of going from the banks to a Nova Scotia port and transferring its cargo to a trading vessel, or having its registry changed to that of a trading vessel and then coming down to an American port—in other words, a change whereby that vessel would come direct to Boston from the fishing grounds—would involve a very large increase in the amount of fish brought in that way?

Mr. RICH. In the future; yes, sir.

Secretary REDFIELD. Why?

Mr. RICH. Why, in normal times there will be more British beam trawlers than they will know what to do with, and they will try to charter them in Canada and have them come here. There will be nothing to prevent their being put under Canadian registry.

Secretary REDFIELD. They could do that before the war.

Mr. RICH. They didn't have entry into our ports before the war.

Secretary REDFIELD. The same entry that they have now. The point I am trying to get at is simply the difference between the existing practice and what is proposed. Under the existing practice, the ports being located here and the banks there [indicating on map], the vessel goes from here to here, and then there, and then here again. That is, she travels on the three sides of a triangle. Under the proposed arrangement, instead of traveling that exceedingly great dis-



tance, she might travel simply on the hypotenuse of a triangle. Now, if under present conditions the vessels bring in from Canada 43,000,000 pounds of fresh fish to our Atlantic ports, to what extent, in your judgment, would that be increased by what is proposed? Can you say that it would be largely increased?

Mr. RICH. Why, in my judgment it would be in the matter of a few years largely, hugely increased.

Secretary REDFIELD. What would the effect of that be, in your judgment, upon the markets of the country?

Mr. RICH. Fish would be cheaper, which everybody wants.

Secretary REDFIELD. So I understood you to believe that the mass of the American people would be benefited by that proposition?

Mr. RICH. There is no doubt of it.

Secretary REDFIELD. There is no doubt, in your judgment, that that would be for the advantage of the largest part of your fellow citizens?

Mr. RICH. No doubt there would be more fish and the prices would be controlled absolutely by the law of supply and demand.

Secretary REDFIELD. Is it conceivable, in your judgment, that the demand might largely increase if the supply could be largely increased?

Mr. RICH. It certainly would.

Secretary REDFIELD. You think the people of the United States might be induced to eat as large a percentage of fish as the people of Great Britain?

Mr. RICH. We are almost the smallest fish-eating people in the world.

Secretary REDFIELD. And if we increased our consumption of fish per capita to that of Great Britain, would it involve a great increase in the demand and in the necessity of a large supply to meet that demand?

Mr. RICH. An enormous increase.

Secretary REDFIELD. Into the millions of pounds, would it, Mr. Rich?

Mr. RICH. I haven't the figures in mind, but the per capita consumption of the British Islands is much more than it is here.

Secretary REDFIELD. Five times as great as ours?

Mr. RICH. I had the figures. The consumption there is a great deal more.

Secretary REDFIELD. Approximately five times, I understand. So, if we were to cultivate our market for fish in this country isn't it a fact that there are not to-day sufficient vessels to meet the demands? If we should raise our consumption up to the point of Great Britain's consumption to-day, isn't it a fact that there are not enough vessels in the Canadian and American fleets to bring the fish in?

Mr. RICH. That is a fact, sir.

Secretary REDFIELD. So is it a fact or not that we are dealing with an industry that is capable of indefinite expansion?

Mr. RICH. It is.

Secretary REDFIELD. That is so, is it not?

Mr. RICH. Yes.

Mr. SWEET. I would say, Mr. Rich, referring to this registry law, that it was made to apply to vessels engaged in foreign trade. It doesn't say anything about fishing vessels one way or the

other, but it does say that vessels engaged in coastwise trade can not be admitted. What these vessels would be considered as being if this plan were carried out I am not quite sure.

Mr. QUIGLEY. A trading vessel coming from a Canadian port to an American port would not be considered as being in the coastwise trade, and if it should merely go from an American port to the fishing banks, as suggested, without going to a foreign port, I should say that it would still not be considered in coastwise trade. So I think there would have to be legislation on the subject.

Mr. RICH. I should say that a vessel coming along the coast, under foreign registry, and clearing from one of our ports for the fishing grounds, a vessel coming to Boston and really doing a coastwise business, could not be considered as doing a foreign business under that act.

STATEMENT BY MR. O. M. ARNOLD, PRESIDENT OF THE NEW  
ENGLAND FISH CO.

Secretary REDFIELD. Is there anybody here connected with the halibut interests of the Pacific coast?

Mr. ARNOLD. Mr. Chairman, O. M. Arnold, of the New England Fish Co.

Secretary REDFIELD. Have you ever heard that the fact that fishing vessels on the Pacific coast are obliged to go from an American port direct to the fishing grounds has injured your business?

Mr. ARNOLD. Not a mite.

Secretary REDFIELD. You never heard of that?

Mr. ARNOLD. No, sir.

Secretary REDFIELD. You have considerable interests on the Pacific coast?

Mr. ARNOLD. We have, both Canadian and American.

Secretary REDFIELD. Will you give us an idea in a general way of the extent of those interests?

Mr. ARNOLD. I would say that I could give you some idea of the situation out there for the past 18 or 20 years. I couldn't give the exact time, but about 20 years. I can say something about the growth of the consumption of fish in Canada. When we first went out there you couldn't sell one cargo of fresh fish through the western part of Canada. It is 20 years since we were established in Vancouver, the New England Fish Co.

Chief Justice HAZEN. 1894.

Mr. ARNOLD. And at that time, speaking of the increase in the consumption of fish through western Canada, there was no sale at all through there for fish; couldn't sell them; didn't have any call for them at all. We started in there with two vessels that we chartered, the *Catalina* and the *Coquitlam*, and at first we made hardly any headway at all. But after awhile we did better and commenced to build American vessels out there, and pretty soon increased our trade to a million pounds. In 1908 we established a Canadian branch. Since that time we have increased the trade through the Canadian consumption of fish 100 fold—more, 300 fold.

Secretary REDFIELD. That is, you have increased your Canadian market for fresh fish 300 fold over what it was at the time when you started in there?

Mr. ARNOLD. Yes; and that was done by hard work, and we had the Canadian Pacific road with us, getting them to eating fish out there through western Canada.

Secretary REDFIELD. Of course, it might be increased 300 fold and still be small.

Mr. ARNOLD. Well, it is pretty good now. They are using a big pile of fish now. If the people of the United States ate fish in the proportion to which it is eaten there, we couldn't get fish enough to supply them any way.

Secretary REDFIELD. This question is one of peculiar interest. You have in mind the fact that a Canadian fishing vessel passing north from British Columbia through the inward passage is obliged by our law to run into Ketchikan, our port, that there she takes her departure technically for a Canadian port, but actually for the fishing grounds?

Mr. ARNOLD. Goes to the fishing grounds; yes.

Secretary REDFIELD. And on the Pacific coast, to your own knowledge—I would like to have you confirm me in this if I am right, or tell me if I am wrong—an exactly contrary condition exists in that respect to what exists on the Atlantic coast; that that contrary condition is the one that exists on the Pacific coast in connection with the fresh-halibut trade, and that that is the condition which would also be established here by this proposed memorandum?

Mr. ARNOLD. Yes, sir.

Secretary REDFIELD. That is a fact?

Mr. ARNOLD. Yes, sir.

Secretary REDFIELD. Now, have you found that arrangement to work harm to your interests, either American or Canadian, out there?

Mr. ARNOLD. It has not. It has worked to our advantage.

Secretary REDFIELD. And in the presence of that condition has your business grown?

Mr. ARNOLD. Our business has grown every year until the last two years, and the only trouble now is the scarcity of fish, that is all.

Secretary REDFIELD. Is it or is it not a fact that in the distribution of fish the Canadian vessels are permitted—even required—to go directly to the fishing grounds from the American port? Is that a fact that you would give any weight to it in your operations?

Mr. ARNOLD. Yes. If that were not allowed we would have to go back into a Canadian port. It would take longer, but we would have to do it.

Secretary REDFIELD. And you prefer to have them go to an American port?

Mr. ARNOLD. Yes.

Secretary REDFIELD. And your fishing concern prefers to have vessels go direct from an American port to the fishing grounds?

Mr. ARNOLD. Yes, sir.

Secretary REDFIELD. Why?

Mr. ARNOLD. It saves time, and time is money. We also have an office at Prince Rupert, and have a place there—a Canadian branch there—and if the vessel should have to go to Prince Rupert to clear for the fishing grounds, that would mean a distance of 60 or 80 miles each way, and that would take too much time. By using that time on the grounds fishing, we can get a good many more fish.



Secretary REDFIELD. Is there anybody here who would like to ask this gentleman any questions? This is an important phase of the case.

Mr. ARNOLD. I will say that I am in favor of this proposition as representing the New England Fish Co.

Secretary REDFIELD. That is, you approve this proposed arrangement?

Mr. ARNOLD. Certainly.

Secretary REDFIELD. Do you have any vessels on the Atlantic coast?

Mr. ARNOLD. No.

Secretary REDFIELD. Your fleet is entirely on the Pacific?

Mr. ARNOLD. A Pacific fleet; yes, sir.

Secretary REDFIELD. And it comprises both American and Canadian vessels?

Mr. ARNOLD. It does. We just lost one of our steamers. We now have only one steamer that is an American vessel, and have seven Canadian.

Secretary REDFIELD. Are your vessels among those required under certain conditions to go into the Canadian port of Prince Rupert?

Mr. ARNOLD. Our steamers?

Secretary REDFIELD. Your vessels of any kind.

Mr. ARNOLD. We do have the privilege of going in there; yes.

Secretary REDFIELD. Do you use it?

Mr. ARNOLD. We do not. We go into Ketchikan, and then to Vancouver. Of course, we would use the privilege to go there if occasion required.

Secretary REDFIELD. Have you had experience with an order in council, which has been referred to, which would require you in case you went into Prince Rupert to get bait to go back to Prince Rupert to sell your catch?

Mr. ARNOLD. No. We have had nothing of that kind. You mean with an American vessel?

Secretary REDFIELD. Yes.

Mr. ARNOLD. No.

Secretary REDFIELD. Do you know of the existence of an order in council to that effect?

Mr. ARNOLD. No. We have never had that occur to us.

Secretary REDFIELD. You don't use Prince Rupert, yourselves?

Mr. ARNOLD. We use that for our Canadian branch, although our American vessels have been in there and shipped fish in bond.

Secretary REDFIELD. In going there to ship fish in bond by the Grand Trunk Pacific do you buy bait and supplies there?

Mr. ARNOLD. No.

Secretary REDFIELD. Why not?

Mr. ARNOLD. Get plenty at Ketchikan.

Secretary REDFIELD. The places are 80 or 90 miles apart?

Mr. ARNOLD. Eighty or ninety miles.

Secretary REDFIELD. Can you buy as cheaply at Ketchikan as you can at Prince Rupert?

Mr. ARNOLD. I don't think there is much difference between the two places—pretty high in both places.

Secretary REDFIELD. Is it not a fact, to your knowledge, that American halibut vessels go right by the American port of Ketchi-

kan and go to Prince Rupert, because of certain advantages of Prince Rupert?

Mr. ARNOLD. Yes, sir.

Secretary REDFIELD. Why do they do that?

Mr. ARNOLD. Go there and ship fish direct from there, and that saves their going to their home port, Seattle.

Secretary REDFIELD. Mr. Arnold, do you regard the American market as being, or do you know the American market to be, substantially open to fresh fish caught by foreign vessels?

Mr. ARNOLD. I do. It comes in free now.

Secretary REDFIELD. And are you availing yourself of that freedom in your business?

Mr. ARNOLD. Certainly am.

Secretary REDFIELD. You find no restriction upon it?

Mr. ARNOLD. None at all.

Secretary REDFIELD. Do you understand that the proposed arrangement here in any way alters or enlarges the freedom of that movement?

Mr. ARNOLD. I think there would be a benefit. I am speaking now of what you asked me in regard to the west coast.

Secretary REDFIELD. As a New England man yourself, experienced in fisheries, what reason is there for thinking that this proposed change, if made, would be an injury to New England?

Mr. ARNOLD. I think it would be a benefit.

Secretary REDFIELD. Why?

Mr. ARNOLD. Because we would have a chance to get more fish. I am speaking for the public as a whole. I think, speaking for the country as a whole, we would have more fish and cheaper fish, and we are all looking for cheaper food.

Secretary REDFIELD. Do you think it would be possible to largely increase the American demand for fish food?

Mr. ARNOLD. I do, by opening the market to Canada—I mean, letting the Canadian boats land fish here.

Secretary REDFIELD. Do you think it would be possible to increase the American demand for fish food by deliberately cultivating a liking for fish food to an extent greater than it is now used?

Mr. ARNOLD. I think it would create a liking for it. Where the prices of beef and everything else are going so high, and where the price of fish also is going so high, to get more fish in would bring the price of fish down.

Secretary REDFIELD. Is or is not the consumption of fish in the United States the smallest per capita of any of the great nations?

Mr. ARNOLD. It certainly is. Canada, I think, is a much larger consumer, according to the population there.

Secretary REDFIELD. Do you know how much larger the average consumption of fish in Canada is than in the United States?

Mr. FOUND. In Canada, 29 pounds per year per capita.

Dr. SMITH. Then the relative per capita consumption of Canada as compared with the consumption of the United States would be as 29 to 18?

Secretary REDFIELD. What is the consumption of Great Britain, Mr. Found?

Mr. FOUND. Before the war, in Great Britain, it was about 56 pounds.

Secretary REDFIELD. The fact being, therefore, that if we could increase our consumption of fish to the point of consumption of Great Britain, which consumes 56 pounds of fish per capita per annum, that would be more than three times the number of pounds per capita per annum that we now use. Is that your understanding of it, Mr. Arnold?

Mr. ARNOLD. That is my understanding of it.

Secretary REDFIELD. One thing more, Mr. Arnold. Have you had any trouble in connection with cold storage on the west coast?

Mr. ARNOLD. In what direction?

Secretary REDFIELD. Well, have you found that proper cold-storage facilities were provided for you at Prince Rupert?

Mr. ARNOLD. We have none at Prince Rupert. I will say that in Prince Rupert, our branch there, I don't think they have had any trouble in getting the fish frozen.

Secretary REDFIELD. Doesn't the Canadian Government subsidize cold-storage plants?

Mr. ARNOLD. I don't know whether they do or not?

Secretary REDFIELD. Is there any objection to other parties building cold-storage plants in Canada?

Mr. ARNOLD. I couldn't tell about the condition at the present time. I know that we built ours in Canada. Our agent out there would probably know more about that.

Secretary REDFIELD. But you did build a cold-storage plant of your own?

Mr. ARNOLD. Yes, sir.

Secretary REDFIELD. Any objection to building it?

Mr. ARNOLD. Not at all.

Secretary REDFIELD. You haven't heard of any objections on the part of Canada to Americans building cold-storage plants in Canada?

Mr. ARNOLD. We didn't find any objection to our building there.

Secretary REDFIELD. And you are operating one there?

Mr. ARNOLD. Yes, sir; and one at Ketchikan, Alaska.

Secretary REDFIELD. There is a free and open market for fish in Prince Rupert?

Mr. ARNOLD. There is; yes, sir.

Secretary REDFIELD. And your buyers and sellers operate freely without restriction?

Mr. ARNOLD. They bid on them the same as they do here.

Secretary REDFIELD. Thank you very much, Mr. Arnold. We will now take up the Lake Champlain question. I think, if the representatives of that section are here. I will say now that at any time statements of any kind may be filed with the commission, in addition to the statements that may be made to us here orally. Communications may be addressed to me as Secretary of Commerce at Washington, and I shall be delighted to see that they are made a part of the records of the commission. We invite anybody who may not be prepared now to say what he may wish to say, or who may later desire to present facts to the commission, to write to us at Washington, and I shall see that such communications are made a part of the record of the commission. If further hearings are desired here, we



shall arrange to hold them here, until everybody has had an opportunity to be heard in such a manner as he may wish to be heard. We want to give the very broadest and fullest opportunity to all.

**FURTHER STATEMENT BY MR. FRED L. DAVIS, PRESIDENT OF GLOUCESTER BOARD OF TRADE.**

MR. FRED L. DAVIS. I would like to ask to be referred to the law relating to the purchase of foreign vessels to be used in the fisheries. Will you kindly inform me where I can find that?

Secretary REDFIELD. I understand that that was passed in 1909. I said to Mr. Rich that an examination of the law showed that it applied only to vessels engaged or to be engaged in foreign trade. No reference is made to the fisheries one way or the other, but it says that it does not apply to vessels engaged in the coastwise trade. But it makes no reference to the vessels engaged in the fisheries for or against, one way or the other.

Mr. DAVIS. That practically means that we can not apply it to vessels engaged in the fisheries, doesn't it? It looks that way?

Mr. QUIGLEY. Yes; it looks that way.

Mr. DAVIS. Since the war, haven't there been orders, in council or otherwise, of the British Government which have prevented the sale of vessels under British registry to other nations, or their registry in other nations?

Secretary REDFIELD. There have been regulations in regard to vessels issued by every nation engaged in the war without exception, not excepting our own.

Chief Justice HAZEN. You have practically a similar regulation in the United States.

Mr. DAVIS. Exactly; and I was wondering how the problem was to be worked out, if vessels couldn't be bought or transferred.

Secretary REDFIELD. Well, that is a war measure, entirely.

Capt. NICKERSON. A transfer of flag is not permitted. We had a communication in regard to the subject, in regard to the vessel being built in Canada, that I spoke to you about, that a license could be obtained, but it didn't say by application to what quarter. The question arose in connection with the transfer of a small boat from Clarkes Harbor to Boston, and it was interdicted by the Canadian Government unless a special license were taken out.

Chief Justice HAZEN. I think Capt. Nickerson is absolutely right. It is not absolutely prohibitive, but can be done by special permission.

Mr. SWEET. Probably the board there has some such authority as our Shipping Board.

Chief Justice HAZEN. Yes; done by the department of marine.

Secretary REDFIELD. The same thing can be done in this country, and has been done.

Capt. YOUNG. Will this hearing take in Newfoundland?

Secretary REDFIELD. No; we are not discussing Newfoundland.

Commissioner HAZEN. I understand that Newfoundland will not discuss it, that they are perfectly satisfied.

Secretary REDFIELD. I understand that our friends from Vermont, who are interested in the Lake Champlain situation, are here, and we shall be pleased to hear from them.

## STATEMENT BY MR. R. L. PATRICK, OF THE VERMONT FISH AND GAME LEAGUE.

MR. PATRICK. Mr. Chairman, I represent the Vermont Fish and Game League. I wish to take only a few minutes' time upon this matter. I realize the fact that the question of nets and seines in the Canadian waters of Lake Champlain is perhaps a trifling matter compared with the other large questions you will be called upon to regulate and decide. But one of the objects of this Vermont Fish and Game League is propagation and conservation of fish: and, gentlemen, if there was ever a time in the history of this North American Continent when Canada could ask a favor of the United States or when the United States could ask a favor of Canada, it would seem to me that the time is the present, when our boys are fighting side by side with your boys, and when both countries are linked together in an effort to win a world-wide war for democracy. With the present good feeling that seems to exist between the two countries, for that reason, we feel that we now have a right to ask that the seining or drawing of nets in Missisquoi Bay be discontinued, and we hope this request will receive impartial and careful consideration and will be granted.

Vermont and New York States prohibit seining in all the waters of Lake Champlain in those States for practically 250 miles along the shore line, and is it right that this seining should be allowed in Canada at a time when the fish are going through their particular waters for spawning purposes? The prohibition of netting in Lake Champlain has had a fine moral effect on the public and, of course, has in the end enhanced our shore property value. Again, our own Federal Government maintains, and has for 25 years at considerable expense, a pike-perch hatchery at Swanton, which is near by, and have liberally planted the pike-perch fry in Lake Champlain. Is it just that some Canadian fishermen should reap the harvest of that effort? We hear a great deal now of conservation and propagation, and I think, perhaps, those words mean as much to us now as they ever did. Is it an act of conservation to allow the seining of pike perch during the months of March and April? Just at that time there are thousands of pike perch taken out of the Canadian waters of Lake Champlain and sold in American markets. I am bold enough to state that I think that is an act which is a crime against the laws of nature. I think the policy which exists in the Canadian waters of Lake Champlain is a destructive policy, while I feel that the policy now being pursued by New York State and Vermont, in not allowing seining, is a constructive policy. So I believe there are at least three or four reasons why we have a good right to ask for a discontinuance of this seining.

First, Vermont and New York States prohibit it.

Second, Our own Federal Government maintains a fish hatchery right near this contested property and distributes the fry and the eggs there. Therefore, it does not seem fair for the Canadians to reap the full benefit of that.

Third, Because of the fact that conservation should be recognized. It is a momentous question now, and it is not an act of conservation to take pike perch just before their hatching time—spawning time.

Fourth. I feel that there should be a constructive policy in Canadian waters just as well as in the Vermont and New York waters.

There are other men here representing Vermont and New York State who will give you much more definite information than I can; but I assure you, gentlemen, that Vermonters are deeply interested in this question, and we shall await your decision anxiously.

Secretary REDFIELD. Are there any other members of the Vermont delegation who would like to add to what Commissioner Patrick has stated?

#### STATEMENT BY MR. LIUS LEAVENS, VERMONT FISH AND GAME COMMISSIONER.

Mr. LEAVENS. Mr. Chairman, I can say little, except in corroboration of what Mr. Patrick, of our game league, has already stated. From correspondence and conversation with gentlemen from all over our State and New England, I may say that our people are very much interested in the development of the inland waters of Lake Champlain as a source of supply for food and game fishing. Because of that fact, in 1912 the practice of granting licenses for drawing seines in those waters was discontinued by the State of Vermont. New York State, likewise, discontinued that practice.

We have also in the work of the department cooperated with the United States bureau in their work at East Swanton. They have a station there where pike-perch are taken and stripped for hatching purposes, and we have tried to cooperate in making it possible for them to do it cheaply, by granting permission to take and sell the coarser fish to pay for the expense of taking the pike-perch for stripping. We have also operated a hatching station at Burlington, and we have distributed in the lake about 50,000,000 pike fry each season, in cooperation with the Federal bureau.

I have with me a map of the seining grounds of Missisquoi Bay, showing the Canadian boundary, which the commission might like to look at for their information. The situation on the Canadian shore at Missisquoi Bay causes great dissatisfaction to the people who own property along the American shore. The result is constant pressure brought to bear at each session of our General Assembly in the State of Vermont to go back to the policy of granting licenses for seining. Of course, if Vermont goes back to that and grants seining privileges in Missisquoi Bay, they must be granted to all parties along the shores of Lake Champlain in New York State as well. New York will then, of course, take up the practice again, and so all our work of propagation and conservation must be done over again.

For these reasons we believe that we are justified in asking this honorable commission to give the matter of seining on the shores of Missisquoi Bay serious attention.

#### STATEMENT BY MR. D. A. LOOMIS, OF THE LAKE SHORE TRANSPORTATION CO.

Mr. LOOMIS. Mr. Chairman, I have very little to add to what has already been stated by my predecessors. I am engaged in the operation of hotels and steamboats on Lake Champlain. Our business is



largely that of a tourist character, and among the tourists a large number are hook-and-line anglers. Their attention is attracted to Vermont because of the hook-and-line angling in Lake Champlain. The continuation of the seining has had a very serious effect on the hook-and-line fishing.

As a food proposition, this question probably does not enter into the consideration of your honorable board, but it does appear to us that we are warranted in coming before you and asking that something be done in this matter, simply as a matter of justice. Vermont and New York are here, with their 250 miles of shore line, as against the Canadians, with some 10 or 12 miles. There are to be considered the expenses we are incurring annually for the propagation of the fish against not one dollar being spent by the Canadian Government. Therefore, it seems no more than right and just to our people and to the anglers at large who participate in this hook-and-line angling that this practice of seine fishing in Canada in the fall and spring—the spring particularly, that being the time when it is the most harmful—should be discontinued. Statistics can be furnished by my friend, Mr. Titcomb, as to the quantity, etc.

**STATEMENT BY J. W. TITCOMB, FISH CULTURIST OF THE STATE  
OF NEW YORK.**

MR. TITCOMB. Mr. Chairman, I have been delegated by the State of New York to appear in response to your invitation, and perhaps it would be proper for me to say that I was commissioner in Vermont for about 18 years. I was first appointed in 1891. At that time it was the Canadian custom to issue licenses for fishing both spring and fall, and on the Vermont side during the run of pike-perch, while this seine fishing was going on in Canada, it was not lawful to even fish with a hook and line. That was a very narrow law on the part of Vermont. We got it changed so that they could do hook-and-line fishing in Vermont, and I visited the Canadian authorities and tried to persuade them to stop fishing in Canada. I was unable to get any assurances from them of uniform action, and I recommended to the legislature that a bill be passed so that Vermont could issue licenses whenever they were issued in Canadian waters of the lake under the same terms and conditions. The following spring we issued, I think, 31 licenses.

That map there shows where those seining grounds are on the Vermont side. You see they are very close together. The fishing in the spring is done through the ice by a very unique method, which is used there in Canada, I think devised by a Vermonter. The seines are 130 or 140 rods long, so you see that they cover a very large portion of the bay, extending across from both sides. On the Canadian side there are four nets operated directly opposite the mouth of the Missisquoi River, which is one of the principal rivers which the pike-perch ascend for the spawning function.

During that spring those 31 nets on the Vermont side sold about \$6,000 worth of fish. I may seem to be inconsistent in another position I have taken. I attended a hearing in Syracuse, where I was trying to persuade three sportsmen's organizations to assist us in connection with legislation, and favored the removal of carp and other rough fish from Clyde Lake and other lakes in New York.

The commission in New York is trying to do all it can to help the National Food Administration and to help along in the war situation in connection with fish supply, and it is proposed to get the carp out of the lake as soon as possible. Looking at the matter from the standpoint of a fish culturist, the carp is not as valuable a fish as the others and are better protected naturally than others, because they don't take the hook and line, and it is unlawful to use the net. So the netting proposition was advanced in connection of those fish, and we tried to get the support of these organizations, explaining the advantages of getting these fish to help win the war and at the same time help improve the fishing situation by getting these enemies of the bass out of the water. So I want you to understand that our position in getting these fish where we can, and getting as many as possible, is not along the line of interfering with fishing in the future. I think the expression "letting down the bars," which has been going around, is unfortunate. We are simply trying to make our rules as liberal as possible in the interest of the public at large at the present time. But here on Lake Champlain there are millions of dollars invested in summer homes and hotels, and certainly something should be done in the way of protection.

The pike-perch is looked on in this lake as a game fish. It is one of the few places in the country where the pike-perch is regarded as a game fish. It is a great thing for that section to have people able to catch them. The Federal bureau was induced to put in a hatchery there, and the State put in a branch at Burlington to help it along. As the commissioner from Vermont has stated, every session of the Vermont Legislature members are elected on the fish issue. They come down there and are willing to trade on every other bill that goes into the legislature in order to get votes to put this seining back in practice. Of course, they have a strong argument, that just over this imaginary line people are allowed to take these pike out of the waters at the season when they ascend to spawn. The pike have the habit of leaving Vermont from all that portion of the lake, following up the Swanton shore and up Missisquoi Bay, up Pike River, and then down to Vermont again. Massachusetts passed a law prohibiting the sale of the pike-perch or fish caught in Missisquoi Bay in that manner, and New York tried to do the same thing, tried to force you people to get in line by that method. But the result is that your fishermen ship fish to Montreal and then reship them here, so that they do not appear to come from Missisquoi Bay. So it is pretty difficult to whip the devil round the stump. Missisquoi Bay elects representatives on the issue, also, the same as is done on our side. Your fishermen elect members of Parliament by campaign funds on this issue, and the same thing is done by fishermen in Vermont in connection with the Vermont Legislature, and men on our side assist in helping your members of Parliament to get elected, to keep up fishing on that side. So you see the thing is all mixed up.

Commissioner HAZEN. It may get higher up than you.

Mr. TRICOMB. I can't tell you about that. But that is the situation, and it is a matter of common knowledge. Of course, Vermont might be persuaded at the next session of the legislature to go back again, and there you are. Some men think they are making themselves pretty good fellows by voting for that sort of thing, and then others will try to have New York do the same thing. If these efforts are

successful you would see what would happen, that there would be no restriction at all the whole length of the lake. If they were allowed to seine there, after a few seasons you couldn't even catch a bull head. New York would not even have to pass any legislation in the matter to allow the use of these nets. The State could issue licenses at any time to net Lake Champlain. But conservation is the policy of the day, and certainly something should be done in this matter by concerted action. We trust that you can take the matter up, representing both countries, and do something to remedy the situation on Lake Champlain. Attempts have been made to use nets also in the Richelieu River, through which the fish from Lake Champlain also ascend some, but we do not intend to issue any licenses there. We are going to stand by Vermont on this question, and our appeal to you is to get into line and join us in this movement. Let me tell you a story in regard to the situation in Canada. You are familiar with the fish known as the whitefish, locally called "shad."

I, when I was the humble commissioner of Vermont, got an audience through one of the representatives higher up in the country to talk with your Minister of Marine Fisheries, and I appeared before him and said, "You are issuing licenses to catch whitefish during the spawning season and we want to stop that, if possible." He said: "No; we don't allow licenses for whitefish during the spawning season. You are entirely mistaken." I told him that such licenses were issued, and he immediately called upon Mr. Prince. I am sorry that Mr. Prince is not here, so that I can get the joke on him. Mr. Prince came in and produced one of the licenses, and said: "We are issuing licenses to catch fish in Missisquoi Bay, but this license reads for catching shad," and the Minister of Marine and Fisheries dismissed me, saying, "That is all; we are not issuing licenses to catch whitefish, and you can go." But they were not catching shad; there is no such fish in the lake, and men of your intelligence know that there is not. But that is one of the times when they put it over on me. Now, let us give and take in these matters. In this particular case I hope it has been presented in such a way that you can understand the situation. The fishery is comparatively unimportant. It gives only a few men a monopoly of the fishing. If we can get the rough fish out of the lake without interfering with the fish that bring these people into the region and that have brought in property there, so that it has increased from a very small, nominal value to an immense amount, increasing the wealth of the surrounding country by bringing in beautiful homes, well and good. But when you issue licenses to just a few landowners you are not making it general enough.

On the Vermont side, if we were going to give fishing privileges, they ought to be opened to anyone in Vermont who could pay for the license, and the same in New York, and if the method were not pursued of seining to the shore it would be easy enough to do it. They fish through the ice with nets, setting their shanties opposite us, and sometimes the shanties stick over our line at the mouth of the Missisquoi River. The present state of affairs is not right, and I think you will cooperate with us with the idea of having uniform laws. One more point. As soon as the Federal hatchery went in the fishing began to improve, and the State put in a fish hatchery and the



Federal Government furnished the eggs to stock it; but they distributed so far away from that section of Canada, where whisky is a little cheaper than it is down here, that many of our people were not able to get up there and are not getting the benefit of it. When it comes to the financial part of it—the statistics of revenue derived from the fisheries—winter before last I took the statistics of the fish and line fisheries through the ice, and those fishermen fishing 15 feet through the ice, having some recreation and pleasure at the same time, were making \$10 to \$12 a day.

Chief Justice HAZEN. You allow fishing through the ice?

Mr. TITCOMB. Yes, sir.

Chief Justice HAZEN. You think that is not destructive?

Mr. TITCOMB. No. We can stand that. That is different from these nets that have been referred to, and it is open to everybody. Your people can fish through the ice in our waters, and New Yorkers can. Many whom I meet there in the summer do not have an opportunity to do so, but this gives an opportunity for recreation and remuneration to a lot of people at a time of the year when they are not occupied tilling the soil. The farmers' boys can then go out and make some money and can have a good time. Then [referring to that section of the map where the seining grounds are] the men there who own the shores and those seining are employed as guides in the summer, and the revenue they can derive—the livelihood they can obtain from that source—will be much more permanent and will last through a much longer season than the revenue they get from a season during the seining period, and their occupation will be more permanent if these waters are protected. The fishing there is for pike-perch especially, but they take everything. The fishing for white fish, which you call "shad" in that particular locality, takes in other kinds of fish than the white fish. I have here reports and what I have written on the subject during the period of my administration there, from 1892 to 1900, giving the statistics of the fisheries of Vermont State. The revenue never ran over \$6,000 a year, and that is divided up among a few people. The value of the hook-and-line fisheries on Lake Champlain—the intrinsic value of the fish themselves, independent of the sentimental value which increases the value of property and brings in all this tourist traffic—far exceeds any revenue which comes from the net fishing. I thank you very much.

Chief Justice HAZEN. Are there any other States that border on the waters of Lake Champlain except Vermont and New York?

Mr. TITCOMB. No, sir.

Chief Justice HAZEN. And has all fishing been abolished there?

Mr. TITCOMB. All net fishing.

Chief Justice HAZEN. Net fishing, as well as seine fishing?

Mr. TITCOMB. Yes, sir; every kind.

Chief Justice HAZEN. So the only fishing that is permitted is by hook and line?

Mr. TITCOMB. That is all.

Mr. FOUNO. I would ask the gentleman if he will be kind enough to send to me a copy of the laws in this matter? I find that the copy of the laws which I had occasion to refer to the other day was dated 1909.

Mr. TITCOMB. I shall be pleased to do so.

Chief Justice HAZEN. We have listened, gentlemen—especially Mr. Found and myself, the Canadian members of the commission—with very much interest to what has been said by you gentlemen from New York and Vermont, and I have no hesitation in saying that I think they have made out a very strong case. It occurs to my mind that the case they have presented is analogous to the case that was presented this morning with regard to the preservation of the lobster along the coast of Nova Scotia, where we are endeavoring to protect the lobsters by means of a closed season, and are to a considerable extent hampered in our effort by people who come and fish just outside the territorial limits and carry the lobsters away.

In the case we have just heard apparently New York and Vermont have refused to grant licenses for seining, and yet the Canadian Government permits seining in Missisquoi Bay, an arm of Lake Champlain, to which the fish resort for the purpose of spawning. I have no hesitation in saying to you gentlemen that I think that condition of affairs is not right. I think, in view of what you have said, that the matter will be taken up by the Canadian department dealing with fisheries, and I feel that they will be impressed, as Mr. Found and myself have been impressed, by the facts presented. I think very little time will elapse before the question will be fairly met, with the idea of preserving the fish in the lake. While we have not heard what may be said by the people on the Canadian side with regard to this matter, it appears to us at the present time that this fishing by nets should be abolished and that only fishing by hook and line should be allowed. In that way the fish will be preserved and those waters will continue to be a source of delight to tourists who enjoy the fishing. I think in the long run such action as is suggested will be very much in the interest of all.

Secretary REDFIELD. Is there anybody who desires to present any other phase of the question? We are very much indebted to the gentlemen from Vermont who have come here upon the matter and to Mr. Titcomb for their clear presentation of the case. Is there anybody now who desires to present facts here on the larger questions concerned in the Atlantic fisheries?

#### **FURTHER STATEMENT BY CAPT. CARL C. YOUNG, OF GLOUCESTER.**

Secretary REDFIELD. I would like to ask Capt. Young for some information in that connection. Is it not a fact, Capt. Young, that the larger proportion of the Gloucester vessels are power vessels now—motor vessels?

Capt. YOUNG. Yes, sir; a great many of them are power vessels.

Secretary REDFIELD. How many sailing vessels would you say still remain?

Capt. YOUNG. Oh, perhaps 40 or 45 or between 40 and 50, perhaps.

Secretary REDFIELD. What is the total fleet of Gloucester, as far as you know?

Capt. YOUNG. In the neighborhood of perhaps 100 large vessels which go down that way to fish.

Secretary REDFIELD. Can you give the commission a rough estimate of the number of persons engaged in the actual fisheries of Gloucester?

Capt. YOUNG. It would be pretty hard to say, but I think between Gloucester and Boston the number would be in the neighborhood of 3,000 men.

Secretary REDFIELD. In the two ports? Mr. Brown, do you think that is about right?

Mr. BROWN. About 3,500.

Secretary REDFIELD. About 3,500 altogether?

Mr. BROWN. Yes, sir.

Secretary REDFIELD. Can either or both of you tell me what the average earnings of those men are?

Capt. YOUNG. Well, the last two years have been very big years for fishing and the crews have made great wages. They can not be compared with the years previous to those. Previous to the last two years the fish industry of Massachusetts was not a very good industry. Fish was very, very low, and a good many firms and vessels have gone out of existence. I really think if we had not had these two prosperous years there would have been little fishing out of Gloucester to-day, but those years have helped us a great deal.

Secretary REDFIELD. Are the crews of the vessels United States citizens?

Capt. YOUNG. To a great extent. I think 50 per cent or better than 50 per cent are American citizens, or are becoming American citizens every day.

Secretary REDFIELD. I want to be sure that I do not misunderstand you. I gather that 50 per cent, or nearly 50 per cent, of the crews are not American citizens?

Capt. YOUNG. Yes, sir; I think you are pretty nearly right about that.

Secretary REDFIELD. Of what country are they citizens?

Capt. YOUNG. Nova Scotia, Canada, Newfoundland, some Norwegians and Swedes, and some Portuguese—Portuguese to a great extent. We have a good many Portuguese in Gloucester.<sup>1</sup>

Secretary REDFIELD. You have no subjects of Austria and Hungary?

Capt. YOUNG. There may be one or two, but we don't know it. [Laughter.]

Secretary REDFIELD. Mr. Brown, how do you understand the situation in that respect?

Mr. BROWN. There are two Germans on the bricks now; can not go fishing.

Secretary REDFIELD. I mean, about the general situation?

Mr. BROWN. I figure that there are about 75 per cent aliens in the fishing industry, or more—that is, Nova Scotia, Newfoundland, Portuguese, and what we call the Dutchmen.

Secretary REDFIELD. What do you call Dutchmen?

Mr. BROWN. Swedes, Norwegians, Danes—all those we call Dutchmen—class them as one.

Secretary REDFIELD. Many Italians?

Mr. BROWN. No; the Italians have what we call the mosquito boats; catch herring.

Chief Justice HAZEN. Have you any Japanese?

Mr. BROWN. I think there is one in Gloucester.

Secretary REDFIELD. Not a large proportion!

<sup>1</sup> See letter of Dr. Smith on this subject, Exhibit X.



Capt. YOUNG. We have in Gloucester a good many married men who have families in Gloucester and who live in Gloucester and are bringing up their children here—come pretty nearly being American citizens. These last two years have been very prosperous years for all sailors, and the crews have made some money. I think I can safely say that the crews have made perhaps from \$700 to \$2,000 a man—very few \$2,000, but some have made almost \$2,000.

Secretary REDFIELD. \$700 to \$2,000?

Capt. YOUNG. Yes, sir. It varies a great deal, but they have made a very big year's work. Now, what we call the Portuguese vessel in Gloucester is where the vessel has no power. He goes fishing in the winter time on the shore, brings fish into Boston fresh, going out one or two days, and supplies the best fish that the market eats. In the summertime they go down to Quero or Western Bank, take ice, bait, supplies, and everything from an American port, Gloucester: go direct from Gloucester to the banks, and don't go into Nova Scotia to buy a license. I don't think one of the 20 vessels has bought a license in Canada—not one, to my knowledge.

Secretary REDFIELD. I understood—perhaps incorrectly, and you will correct me if I am wrong—that the mere matter of the form of a license, quite apart from the fee, is something that the men do not like. Is that the fact?

Capt. YOUNG. Yes, sir; precisely.

Secretary REDFIELD. It is quite important to get that feeling. Tell us more about it. What is it that the men object to?

Capt. YOUNG. Well take it this way: When you go in and buy a license, you buy something. It is like a license for anything else. You buy your license and somebody has a hold on you. If you have a license—for instance, under a license to-day I would go into Canada with a trip of fish and would want to transship them to America. The first thing they would have to send to Ottawa to get permission for me to ship them home in that way.

Mr. FOUND. With the license?

Capt. YOUNG. Yes.

Mr. FOUND. No.

Capt. YOUNG. Oh, yes.

(Capt. Young later, at the Gloucester hearing, said that it was not so; that he had been mistaken.)

Secretary REDFIELD. It will be a good idea to have this cleared up, Captain, because we know you believe that is so, and we want to be sure what the situation is.

Mr. FOUND. The license covers the privilege of purchasing bait, ice, seines, lines, and all other supplies, outfits, transshipments of catch, employment of ship crews, and so on. That is the privilege you receive by getting the license.

#### FURTHER STATEMENT BY MR. FREDERICK L. DAVIS, PRESIDENT OF THE GLOUCESTER BOARD OF TRADE.

Mr. DAVIS. Mr. Chairman, I suppose matters pertaining to Gloucester will be heard where they can be discussed in the presence of a Gloucester audience?

Secretary REDFIELD. Certainly.

Mr. DAVIS. We shall be pleased to have matters concerning the Gloucester people heard where Gloucester people are present to listen, so that they can give any information or ask any questions that might suggest themselves.

Secretary REDFIELD. Do you understand, in the case that has been referred to, acting under a license, that there is some law peculiar to Gloucester which requires sending to Ottawa for authority?

Mr. DAVIS. I do not know about the situation in that respect.

Secretary REDFIELD. I do not understand that there is a peculiar law in Canada for Gloucester.

Chief Justice HAZEN. No.

Mr. DAVIS. My point was simply that Gloucester people will be present at the hearing in Gloucester and will be able to state their side of the case and to deal with all these facts as they apply to Gloucester fishermen. That is the only matter I have in my mind.

Mr. FOUNO. I would suggest that one of the Gloucester captains have his license with him when we go to Gloucester, so that that question may be set absolutely at rest.

Mr. DAVIS. I would ask what the question is?

Mr. FOUNO. Capt. Young has just stated that a United States fishing vessel having a *modus vivendi* license, going into a Canadian port to transship fish into the United States has to first, notwithstanding having that license, wire to Ottawa to get permission from Ottawa to do so.

Mr. DAVIS. That, I understand, is correct, although I don't know that it is correct.

Mr. FOUNO. My request is, as I have not a license form with me and so many Gloucester men probably do have it, that one of them have a license present to-morrow when we go to Gloucester.

Mr. DAVIS. I think that has been done, but it may be another case like that of the man who signed the paper in Halifax, that has been referred to here.

Chief Justice HAZEN. Will you have the goodness to ask some Gloucester captain or vessel owner who has taken out one of these *modus vivendi* licenses to have it there to-morrow?

Mr. DAVIS. I have one, but it is last year's.

Chief Justice HAZEN. I understand that last year's would be the same.

Secretary REDFIELD. Of course, no man's opinion would be worth anything if the license explains itself. That is the real evidence on the question—what the license says.

Mr. DAVIS. I think, notwithstanding, that that is the case, that they have had to get such permission.

Chief Justice HAZEN. Permits have been asked for by vessels that had no license, and that were therefore delayed. They have feared that their catch of fish would be destroyed if they had to go to a Massachusetts port, and they have gone into a Canadian port and asked to ship in bond to the United States. That has been granted. Those are cases where a permit has been asked for. But I would be very much at sea if I were told that a vessel which had taken out a license that gave it the right to transship fish to the United States in bond had not been permitted to do so. If we had a license, that would show at once what the fact was. Of course,

he would not be allowed to sell fish in Canada. His license does not give him that privilege.

Secretary REDFIELD. That is a matter that is involved in the proposed permit.

Chief Justice HAZEN. We have allowed fish to be sold in Canada under certain circumstances. We have allowed it to be done.

Mr. DAVIS. Of course, where the men could not get a better price here and would have to pay 1 cent a pound duty there, they would prefer to sell here. For instance, the price might be 3 cents a pound there, where the fish was worth about 10 cents a pound here.

Chief Justice HAZEN. Sometimes there are cases where vessels have been delayed, where they have a few fish and where they don't want to sell to the United States, but come to us and ask permission to sell fish in Canada, for their own advantage, and we have given them the permission in nearly every case—special permission. That is not covered by the *modus vivendi* license; but under the *modus vivendi* license they have the absolute right to take their catch to a Canadian port and ship it under bond to the United States port.

Capt. YOUNG. Of course it is a small matter, anyway.

#### STATEMENT BY MR. SYLVESTER M. WHALEN, SECRETARY OF THE FISHING MASTERS' ASSOCIATION OF BOSTON.

Mr. WHALEN. I am secretary of the Fishing Masters' Association of Boston, an association composed of captains of fishing vessels both from Boston and Gloucester, largely offshore fishermen.

So far as I have been able to learn, sir, the members of the crews of offshore fishermen and the captains and owners are absolutely opposed to this proposition of allowing Canadian vessels to come into American markets without restriction. When the American fishing industry or the United States fishing industry is spoken of here there is really no such thing in a way—in this way. The men who actually go out and catch the fish on the vessels are not United States men. As has been hinted here before, I venture to say that nine-tenths of the fishermen on American vessels, offshore vessels, I mean, are Newfoundlanders, Nova Scotia men, and French Canadians, at least nine-tenths of them. As for the skippers of those vessels, they are United States citizens, but there again they are almost invariably Newfoundlanders. You will find the facts in that respect to-morrow down in Gloucester. The men who go into this offshore fishing year after year, season after season, and the captains, almost without exception, are Newfoundland men. If you want the facts about that, I can give you some of the names. There are Capt. Norris, Capt. Brophy, Valentine O'Neil, Capt. Watts, Capt. Parsons, Felix Hogan, and 50 others. Invariably they are Newfoundland men.

Secretary REDFIELD. But American citizens?

Mr. WHALEN. Yes, sir; because they have to be American citizens. But their crews are not, and I venture to say that nine-tenths would be a small proportion of the men who are not only foreign born, but who have not even become citizens. Occasionally a man will take out his first papers and will go along and do nothing more. The vast



majority do nothing of the kind. That is why I say, gentlemen, that is not a United States industry, as such.

Now, what is going to happen if Canadian vessels are allowed to come in here without restriction and sell their fish? What are these American vessels going to do? Where are they going to get the men? That is the question. You can not count on American boys going to sea. They never were fishermen and never will be. We have got to rely on Newfoundland men, Nova Scotia men, French Canadians, to man the vessels, and they are not going to man the vessels here if Canadian vessels are going to be allowed to come in here without restriction. Why should they? The Canadian vessel will be as well off as an American vessel, and why will these men need to ship on American vessels the way they are doing now? The result will be that American vessels will be tied up to the wharf, and Canadian vessels will be coming in here and enjoying the market. The American vessels can not get crews to man them. I don't see any answer to that, gentlemen.

Secretary REDFIELD. Doesn't that depend to some degree on the demand for their services?

Mr. WHALEN. Even now it is difficult to get crews to go on American vessels.

Secretary REDFIELD. Why is that?

Mr. WHALEN. Not enough men here.

Secretary REDFIELD. Haven't the wages paid on the merchant marine under present circumstances had something to do with that?

Mr. WHALEN. I don't believe so, sir.

#### **FURTHER STATEMENT BY MR. WILLIAM H. BROWN, SECRETARY OF THE FISHERMAN'S UNION.**

Mr. BROWN. Would you like to have me answer that?

Secretary REDFIELD. I wish you would.

Mr. BROWN. The reason I have found for the shortage of men on the offshore fleet is that the season is over with mackerel and quite a lot have gone home, French-Canadian and Nova Scotia fishermen. They go home to their families for from three to five months. Another reason is that we have got hundreds of men in what they call the mosquito fleet, guarding our shores, men shipped out of Gloucester. Gloucester fishermen went into what was called the patrol service, and we have, as far as I can get the facts and figures from the men, in the last four months, around 250 men as soldiers drafted. I went up to the statehouse last Friday, upon the invitation of Mr. Putnam, of Washington, on the fish board. Mr. Endicott called me up there to see Mr. Putnam, and I explained where I could put at least 20,000,000 more pounds of fish a year into consumption if I had the men. We have the vessels, and I think the Gloucester representatives and owners will tell you how many vessels we have alongside the wharfs in Gloucester. But there is a lack of men. We can get the captains. Quite a number of men go as men who could go as captains if we could get the crews to go. But the expense of a captain taking a vessel is so large, and he has to lay around on the bricks for a couple of weeks or three weeks looking for a crew, that he is spending money and not making it, and he is up against that additional expense. I told Mr. Putnam and Mr.

Endicott about the situation for the last three months or more, and they asked me what class of fishing I was in.

December 18, I think, I got a communication from Gen. Crowder, that deep-sea fishermen would be classed as mariners and would naturally go into class B 4. That is the information we got at the Buffalo convention, and I think there is the same idea in Gloucester, because they are putting them in B 4. Boston is a bigger place than Gloucester, and they don't know here exactly what a fisherman is, what he looks like even. They think he is a queer fellow. But Gloucester is a fishing place, and they know what a fisherman is and class him as a mariner; 95 to 98 per cent are young fellows, because an old man can not do the arduous work that a fisherman has to do, especially on deep-sea vessels. I was asked for a copy of Gen. Crowder's ruling, and I sent it, and they sent a message to Washington in regard to a ruling on deep-sea fishermen, and I got an answer back Monday or Tuesday that we were not classed as mariners, but we could take class D 2 of deferred classification and industrial purposes. It is a hard job. I have sent three men up to Judge Cohen's board yesterday, and was up myself, to find out what a mariner was, and what a deep-sea fisherman was. You don't have to go into the woods to catch deep-sea fish, but you go to the deep sea, and a mariner must be a man who goes to sea for a livelihood; whether he goes as cook, as fisherman, or on the bridge as captain he is a mariner. But a sailor and a seaman are two things. A seaman is a man who follows the sea, whatever his vocation is; a sailor is a man who navigates or helps navigate the vessel on deck. But our men are going to be drafted, and I have written a letter, with a copy of the letter I wrote to Mr. Putnam, at Washington, to our president, Andy Furuseth, whom I think the chairman knows very well. But that is the situation in Gloucester. In Boston they have more leeway. That is the reason for the shortage.

#### FURTHER STATEMENT BY MR. SYLVESTER M. WHALEN.

MR. WHALEN. Well, the fact is that there is a shortage, and if that thing goes through we couldn't get crews to man the vessels.

Secretary REDFIELD. The difference would be, if I understand the matter correctly, that a vessel starting from the Banks, instead of going to Canada and there changing her character from a fishing to a trading vessel, then coming to Boston direct, with that loss of time, could come direct to Portland or to Boston, without traveling both sides of the triangle. That is the difference that is proposed. Now, can you suggest why, if that were done upon the Atlantic coast, it would work out as you now say, in view of the fact that for 10 or 15 years vessels have gone direct to the fishing banks from American ports on the Pacific coast, and that result has not happened there?

MR. WHALEN. I know nothing whatever about Pacific coast conditions. I do know something about conditions here, something about the fishing that is done from Boston and Gloucester. I simply put myself in the position of Newfoundland men or Nova Scotia men, who, instead of doing as they now do, going to the States, to Boston or Gloucester, and shipping on a vessel here, would simply ship on one of their own vessels down there. They would have just as good

a chance of making a dollar as they have here, under these proposed conditions, and why should they come here? Would you or I come here under the circumstances, or would we stay with the people with whom we have ties, our friends and relatives? What would you do yourself under those conditions?

Chief Justice HAZEN. You want to bear in mind that this conference has no reference to Newfoundland whatever, Newfoundland not being a party to the conference.

Mr. WHALEN. I understand; but what effect would this new arrangement have on a Newfoundland fisherman? Wouldn't it have the result of a greater shortage of men being shipped here, if ships coming from Canada were given the same treatment in American ports that American vessels would have? What reason would there be for coming here and shipping on American vessels rather than on Canadian vessels? What inducement would there be?

Chief Justice HAZEN. What inducement is there to-day?

Mr. WHALEN. The fact that they make more money down here. That is the reason why they are here. Those Nova Scotia men are not down here because they love the scenery around Boston and Gloucester, but because they make a good dollar out of it. They do not come here because they love to go to sea from here. Whenever they have a chance, as Mr. Brown says, they go home. There are a lot of them down there now. When there is hard weather for a few months, many of them go home.

Secretary REDFIELD. And your idea is that our vessels would lie idle?

Mr. WHALEN. Yes, sir; and I am making an appeal to the American representatives on the commission along this line.

Secretary REDFIELD. And in that case the supply of fish would drop off?

Mr. WHALEN. If it was carried out, the fishing industry around Boston and Gloucester, what we have here now, would be transferred to Canada.

Secretary REDFIELD. Is the Canadian fleet sufficient to handle the business, sufficiently large to supply the entire demands of the United States?

Mr. WHALEN. I don't know, sir.

Secretary REDFIELD. Don't you think that has a very important bearing on the matter? Is it not a fact that men go for economic reasons where they can get the best wages?

Mr. WHALEN. Yes, sir.

Secretary REDFIELD. And an American vessel owner will try to keep his vessel in use, so that it will be profitable?

Mr. WHALEN. Certainly.

Secretary REDFIELD. And therefore, if he is unable to get men at one price, he will pay as much more as is necessary in order to keep the vessels running?

Mr. WHALEN. If he is able to.

Secretary REDFIELD. And if there is a shortage of men and a demand for fish?

Mr. WHALEN. He would be at a disadvantage compared with a British vessel—would have to pay more.

Secretary REDFIELD. Why?

Mr. WHALEN. Because they are drifting toward the British vessels.



Mr. BROWN. It is not a question of wages entirely in the fishing industry. It is supply and demand that makes prices. If the American owner is to beat the Canadian owner in getting men, he will have to give the men higher wages, and in that respect he will be at a disadvantage. He would not get as much money out of the business as a Nova Scotia vessel. For instance, take two or three thousand dollars worth stock of fish, and we will say that a Nova Scotia vessel was on quarters and the American owner couldn't get any crews. He would have to put his vessel on fifths. That is to say, he could only take a fifth of that catch for his part, where the Nova Scotia captain would take a quarter. You see, the American vessel would have to meet the Nova Scotia vessel on an equality in the matter of wages and shares.

Secretary REDFIELD. I confess that it seems a little bit difficult to understand how, with the increasing demand of the country for fish food, any arrangement possibly can exist whereunder vessels capable of catching fish, and made for that purpose, having owners desirous of making money by using those vessels, can possibly lie idle. Let us suppose that it is not fish at all. Here are two factories making cotton cloth, substantially alike, and in different places, and there is a huge demand for their product. Can you conceive of any circumstances under which one of those factories, against the wishes of its owner, is going permanently to lie idle with a great demand for its products and with the owner anxious to run it and a market ready to hand, because of any possible slight difference in wages? Isn't it perfectly clear that the owner under such conditions would simply adjust himself to the circumstances and keep running? In other words, with this country taking scores of millions of pounds of fish and increasing its demand every day, is it possible to conceive of circumstances under which there will not be an active demand for everybody who can catch fish?

Mr. WHALEN. Don't you think that would be kind of raising the ante on the American owner? If the Canadians ran into Gloucester fresh fish, and the American owners could not get the crews, they would have to raise the inducement to the crews sufficiently to get the men to go on those vessels.

Secretary REDFIELD. Possibly.

Mr. WHALEN. Don't you think that would be handicapping the American by requiring him to pay more than the Nova Scotian?

Secretary REDFIELD. But do you suppose that the Canadians would be backward in demanding better treatment on their side? It is as broad as it is long.

Mr. WHALEN. I am assuming that the Americans and the Canadians would be put on the same footing. I have got some letters from men in Nova Scotia who went down home after the mackerel season was over, to see their families, and now they can not get back. One in particular wrote me a letter and asked me to write and let him know when any skippers were going down that wanted a couple of men, and to tell the captain to call into Lockport or down in Yarmouth—he didn't care which—and they would take a train and ship. But they can not get across now, as the bars are put down. So when the season starts, if there are no Nova Scotia fishermen coming over, how are we going to get the men here to furnish these million pounds

of fish next season? Where are we going to get anybody to run the mackerel fleet if they won't let anybody come over?

Chief Justice HAZEN. I suppose it is hardly fair to say that they are not coming over. They are not conscripting them.

Capt. NICKERSON. No; but I think they are collecting head money. I think they collected \$30,000 in Yarmouth a short time ago. But, of course, it is a dead setback, and what effect it will have next year I don't know.

(The hearing was adjourned at 4:45 o'clock p. m. to Friday, February 1, at the same place, at 10 o'clock a. m.)

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FEBRUARY 1, 1918—10 A. M.

Secretary REDFIELD. The gentlemen will please come to order. Mr. Quigley, I will ask you to make a note to insert into the record at this stage of the hearing, when they can be obtained, the records from the United States Customs Service, or from the Bureau of Foreign and Domestic Commerce, of the actual importations of fresh and salt fish into the United States from all countries for a period of five years past for the purpose of comparison. (See Exhibit V, p. 380.) And make a note at this point also in the record that I have asked Mr. Found, of the commission, to obtain from the Canadian customs authorities a statement for the record of the commission of the importations of fish into Canada from the United States, say, for a period of five years also.

Mr. Young—I don't mean you, Capt. Young; you have a technical title—the gentleman behind you, if you will excuse me. I am looking forward to the pleasure of hearing from you again, Capt. Young. Mr. Young, do you care to make a statement to the commission concerning the offshore lobster fishing? I would be glad, first of all, if we might have your full name and the name of the concern which you represent.

**STATEMENT BY MR. ALFRED L. YOUNG, OF THE FIRM OF J. A. YOUNG & CO.**

Secretary REDFIELD. Proceed in your own way, Mr. Young.

Mr. YOUNG. I am very glad to have the opportunity to make this statement. I think that I was the original exploiter of that proposition of fishing for lobsters outside of the 3-mile limit in Nova Scotia. It was quite accidental on my part, and it was not what I set out to do. I have been in the lobster business all my life; my father, my grandfather, and my great grandfather before me were in that business, so that I have got a little back of me to bring the spirit down to the present time.

I always have had the impression, through study and observing the ways of the lobster, that it was not an inshore fish; that it could be found offshore on the shoals or wherever ground fish was found—feeding ground, hard bottom of kelp. I always had the impression there were lobsters there, and I got so after a while that I was quite eager to find out for myself if it was so; but I couldn't find any lobster fishermen that would take the initiative and go for a long while. I finally got a man from Maine who was a practical lobsterman, and

he agreed to get a crew if I would fit out a vessel, which I was very glad to do. And I sent him off on what is known as Cashes Bank, which some of the fishermen here can tell you about better than I can. It is off of Yarmouth, about a hundred miles off from Portland. It is a small bank, a small fishing ground. And they did find lobsters there; they found a lot of lobsters there.

Secretary REDFIELD. What bank did you call that?

Mr. YOUNG. Cashes Bank.

Secretary REDFIELD. It is not on this map which we have here. I take it that it is a small bank.

Mr. YOUNG. A small bank; but I think these fishermen know all about it. It is a very small bank. We found lobsters there; they found nice lobsters there and for a small place there were lots of them. The greater part of them were egg-bearing lobsters. They went out there in July or August, I think, and the greater part of them were egg-bearing lobsters. They also reported that the water was chock full of halibut and codfish, and that the top of the water was very thick with these newly hatched lobsters.

That proved the theory that I had that lobsters could be found on these banks—these feeding grounds for fish. They did very well there, but they had to stay there a week or more to get the trip. When they came home—they were Maine fishermen, and they had been accustomed to go lobstering in the morning and get back to their homes at night, and they didn't like that staying out there for a week fishing, they were not used to it and they would not go again. One of the fellows aboard was a Woods Harbor, Nova Scotia, man. He was a young fellow and had been a fisherman. He came to me and was quite eager to try it again, and I let him go the next year—let him take the vessel, and he got a crew of Woods Harbor men. He went out there and they found that they soon fished that bank over, as it was a small bank, and then they drifted to the eastward and finally to the Seal Island grounds, which was their own home fishing ground. And when they got there that was something different from what I wished to exploit. I wished to satisfy myself that the lobsters were off on the banks in the sea, not so near the shore as that. I knew they were there—every lobsterman knew they were there. They finished there and did fairly well. I kept it up for two or three years, had a little trouble with the Canadian Government, and it was not profitable. The lobsters were not plenty enough—it took too long to make the trip. They could only make about two or three trips in the year, because weather conditions do not allow fishing later than the last of September, and there was no market for the goods here until after the 1st of July, and it was not profitable.

It has been exploited to a considerable extent since by different ones, but they have gradually given it up. The crews were altogether Nova Scotia men that were acquainted with the grounds. I did get them to go off the South Channel here once and try it on the shoals there, but they either were not acquainted or they did not give it a proper trial and they did not find the goods. Now, that is simply my experience.

What I think in regard to the lobster question is that what we want is a Federal law. We have been trying to get a Federal law.



I think the best thinkers among the lobster people know that that is the only proper thing. The laws of the various lobster-producing States are different. We used to have a 10½-inch law in Massachusetts, we had it in New Hampshire, and we have it now in Maine. Nova Scotia lobsters used to come through here and go through into Rhode Island—where they did not have that law—and there they were scattered throughout the country, taking the business right away from Boston; and that rather got on the nerves of us lobster dealers, so that we joined with the fishermen and demanded the 9-inch law in Massachusetts, against our better judgment; but we have got it to-day and have had it for a number of years. Now, those lobsters stop in Massachusetts and they are scattered throughout the country from Boston. New Hampshire finally came to a 9-inch law. Of course, there is a demand created among the lobster-eating people for those 9-inch lobsters at the present time. There are times of the year when a 9-inch lobster is more valuable than a larger lobster. There has been a considerable drain made on the Maine lobster fishery, on the 9-inch lobsters, contrary to the laws of that State, not alone by New Hampshire and Massachusetts dealers and smack men, but by their own dealers—the Rockland and Portland dealers have been as much in it as we have; and they have all got places in Boston; and they come here with those lobsters and they are scattered all over the country from here. That is wrong. Looking at it from the perpetuation of the lobster standpoint, it is wrong—it is altogether wrong. We know it. The lobster business is gradually getting away from us. Lobsters to-day are a great luxury. Why, we pay—I should hate to tell you what we paid yesterday. You probably know we paid nearly 50 cents a pound at wholesale to get lobsters here. That is prohibitive so far as eating goes. It ought not to be so. A proper law would be, to my mind, a 10½-inch Federal law, and the same law in Nova Scotia, and in two or three years, I believe, it would put the lobster business back on its feet. For a year or two it would be a hardship, because most of the lobsters now run under 10½ inches; but, I think, after a few years lobsters would be from 10½ inches up, and they would breed faster from that length up, and we would in a short while have more lobsters.

Chief Justice HAZEN. I judge from your remarks that you are in favor of a law that would admit no lobsters into the New England market, or into the markets of the United States, for sale, of less than 10½ inches?

Mr. YOUNG. I certainly am in favor of a law of that kind, provided we have the law the same everywhere.

Chief Justice HAZEN. You say that would have to be a Federal enactment? Is it not a fact that in the State of Maine the law now prevents the catching of any lobsters of less than 10½ inches?

Mr. YOUNG. It is so.

Chief Justice HAZEN. In the State of Maine?

Mr. YOUNG. Yes, sir.

Chief Justice HAZEN. Now, what other States on the Atlantic seaboard are there in which lobsters are caught?

Mr. YOUNG. New Hampshire, Massachusetts, Rhode Island, Connecticut, and New York State, and some few in New Jersey.

Chief Justice HAZEN. Would it be possible to get those different States to pass a law similar to the law which now exists in the State of Maine?

Mr. YOUNG. I hardly think so. The possibilities are just the other way. Pressure is being brought to bear on the State of Maine to change their law to a 9-inch law.

Chief Justice HAZEN. But has the attempt been made with the other States? Take Massachusetts, for instance. Has the attempt been made to have a law passed that no lobster shall be sold in Massachusetts which is less than  $10\frac{1}{2}$  inches?

Mr. YOUNG. It has been, and we used to have that law on our books here. We used to have a  $10\frac{1}{2}$ -inch law in Massachusetts; but, as I say, the fact that these lobsters from Nova Scotia down to 9 inches came through Massachusetts and went to Rhode Island and were distributed throughout the country from Rhode Island—from Newport particularly—took it out of the hands of the Boston dealers, and we did not consider it hardly fair. They came right through Boston and went by us, and we not be allowed to handle them.

Chief Justice HAZEN. If a law were passed preventing catching along the southern shore of Nova Scotia and Passamaquoddy Bay lobsters of less than  $10\frac{1}{2}$  inches, what effect would that have upon the situation here in the Eastern States? If a law of that sort were passed in Canada, would it have the effect of inducing the States you mention, do you think, to pass similar laws?

Mr. YOUNG. It might have that effect. It would so far as the importers of lobsters are concerned. What I mean, the dealers. You know politics enter into this thing a whole lot—have in Massachusetts. The fishermen want to catch the short lobsters.

Chief Justice HAZEN. They have votes?

Mr. YOUNG. They have votes, and they have representatives in the legislature that are catering to those votes. A part of the pressure brought to bear which changed our law here was the fact that they had a 9-inch law in Rhode Island when we had a  $10\frac{1}{2}$ -inch law here, and it resulted in bringing those lobsters across the line into Rhode Island and shipping out from there.

Chief Justice HAZEN. When was the change made in the law from  $10\frac{1}{2}$  to 9 inches?

Mr. YOUNG. Some time ago. I don't know just how long ago.

Chief Justice HAZEN. I want to tell you how that worked in my Province in New Brunswick. The law, so far as the county of Charlotte is concerned, which is the county which is divided from Maine by the St. Croix River, including the islands of Grand Manan, Deer, and Campobello—all those islands are in the county of Charlotte—in the county of Charlotte and in the county of St. Johns, which adjoins the county of Charlotte on the eastward, there was a law by which no lobster of less than  $10\frac{1}{2}$  inches should be taken, and a few years ago the lobster fishermen of St. Johns County came and made a very strong representation that the size of the lobster that could be brought into the Boston market had been reduced from  $10\frac{1}{2}$  inches to 9 inches, and that it was in the interest of the lobster fishermen—it was in the interest of all—that the length should be reduced to 9 inches there. In the county of Charlotte they stuck to  $10\frac{1}{2}$  inches, as they are doing in the State of Maine. That shows

how one thing leads to another, just as you have told us about Rhode Island influencing the decision here. Then your change of law here influenced the action of St. Johns County.

Mr. YOUNG. And then the fact that the change of law here induced New Hampshire to change her law two or three years ago.

Chief Justice HAZEN. And your view is that this would have to be done by Federal enactment, isn't it, Mr. Young?

Mr. YOUNG. I think it would. I think so, in order to get it unanimous in the various lobster-producing States. It has always been put up to us that it is a question of State rights, and that the States are jealous of their rights and would not give them up to the Federal Government, and we have been told it would be impossible to have a Federal law.

Chief Justice HAZEN. There would be very great hostility, I suppose, on the part of many of these different States to the passage of such an enactment by the Federal authorities?

Mr. YOUNG. Well, that may be so. I believe Rhode Island and Connecticut would bitterly oppose it.

Chief Justice HAZEN. You have been in the lobster industry for a great many years, Mr. Young, and your father and grandfather before you?

Mr. YOUNG. Yes, sir.

Chief Justice HAZEN. In view of your experience and what you know about the business, do you consider that the lobster industry, if it is to be saved from destruction, is in need of special protection at the present time?

Mr. YOUNG. Well, there is no question but what lobsters are growing less and less all the time, and if you are going to save it you have got to protect it; and I don't know how you are going to protect it unless you make laws. We have always had laws, as I say, for a good many years, but it seems as though every law was unpopular, or if we had it for one State we didn't have it for another, and in spite of our laws lobsters are growing less and less. In Maine they have the 10½-inch law, and they fish them all the year round when they can, but still they find more lobsters there than in any other State.

Chief Justice HAZEN. Is there any close season for lobsters in the other States you speak of?

Mr. YOUNG. I think there is a close season in Rhode Island; there is a period when there are no lobsters there. They have a close season in some of the eastern parts of Maine. A good many years ago Maine did have an experiment with a close season for 10 to 12 weeks in the summer time, but it was not popular and was given up.

Chief Justice HAZEN. Is there a period of the year during which the importation of lobsters into Boston is forbidden by law? From anywhere? I mean, have you a law here in Massachusetts or in Boston which prevents the importation of lobsters into your State at certain seasons of the year?

Mr. YOUNG. No, sir.

Chief Justice HAZEN. So that, therefore, it would be correct to say that you can have lobsters in Boston all the year round if you are able to get them?

Mr. YOUNG. We do. We have them the year round.



Chief Justice HAZEN. Have you given any attention to the subject of the artificial propagation of lobsters?

Mr. YOUNG. I have in a general way. I have been at the several propagation stations in Maine, the one at Woods Hole and the one at Gloucester.

Chief Justice HAZEN. What is your opinion in regard to the effectiveness of those stations?

Mr. YOUNG. I don't think they are effective. That is my personal opinion.

Chief Justice HAZEN. Do you think it would be possible to maintain the lobster industry or to restore the lobster industry by means of close seasons during the year at different points along the coast and by means of lobster hatcheries?

Mr. YOUNG. I don't think that would restore it. If you will allow me, I will tell you why.

Chief Justice HAZEN. That is exactly what I want to know, Mr. Young.

Mr. YOUNG. As I say, that was tried in Maine a good many years ago for a period of 10 or 12 weeks—whatever it was—and at the end of that period the fishermen were all allowed to put their lobster pots out, and they put them out, and they got great lobster fishing for a few weeks, and then it went back to normal again. In other words, I believe that if you had a period of the year when there was a close season—it is a good deal like this in Nova Scotia at the present time—they get good fishing when they start out, but along toward the end of the season the fishing slacks away. And the fact that the lobster-fishing industry in western Nova Scotia is a great deal less than what it used to be is to my mind some proof that it is not a success—the close time. I would sooner think that a 10½-inch law would be more effective. They have that in Maine, and, as I say, they fish there all the year round, and in most places in Maine, I think, they get lobsters when they fish.

Chief Justice HAZEN. Then, if I understand your opinion, Mr. Young, it is that the most effective method of protecting the lobsters would be the passage and the enforcement of laws preventing the catching of lobsters at any time during the year of a less size than 10½ inches?

Mr. YOUNG. That certainly is my opinion.

Chief Justice HAZEN. And your opinion is that if a law of that sort were passed and were enforced there would be no need of close seasons and no need of lobster hatcheries—

Mr. YOUNG. No; I think nature—

Chief Justice HAZEN (continuing). Which is somewhat experimental, anyway.

Mr. YOUNG. I think nature is more effective than any artificial means.

Chief Justice HAZEN. What is your idea of fishermen catching berry lobsters?

Mr. YOUNG. They should not be allowed to catch them.

Chief Justice HAZEN. If every lobster is a berry lobster, they should be compelled to put them back into the water?

Mr. YOUNG. We have laws to that effect now.

Chief Justice HAZEN. Are they enforced?

Mr. YOUNG. Yes and no. No; I should say they were not. They are in some instances. The Government and the State at various times has bought these egg lobsters and returned them to the waters again. Of course, I am not a fisherman, but I know there are a lot of those lobsters come to the market at various times.

Chief Justice HAZEN. Have you had any experience with the taking of lobsters and confining them in ponds? I mean mature lobsters and confining them in ponds until they are right and have deposited their spawn, berries, and then placing them back in the sea again for that purpose?

Mr. YOUNG. Why, I have personally got lobster ponds in the State of Maine myself, and I have made a practice of putting lobsters in those ponds for a great many years past. Your Nova Scotia lobsters are put in that pond, and Maine lobsters, too. We put them in in the spring of the year, and we take them out and market them in July and August. We put them in again in the fall and market them again at this time of the year. We can't keep them in those ponds over their moulting season, when they shed. That is impracticable. But as far as putting egg lobsters in the pond goes, we put, as I say, your Nova Scotia lobsters in there in the spring of the year and take them out in July and August and find a whole lot of new berry lobsters. Lobsters if taken care of and looked after properly would certainly add a whole lot.

Chief Justice HAZEN. What do you do with those lobsters after you take them out of the pond?

Mr. YOUNG. We sell them to the Government, and a good many in the State of Maine, at Booth Bay Harbor, where the hatchery is.

Chief Justice HAZEN. And what does the Government do with them? Did they take the berries from those and hatch them in their hatchery, or did they take the lobsters just as they were and deposit those berries and put them back in the sea?

Mr. YOUNG. They have always taken those lobsters in the summer time and carried them over until the next June, as the lobster carries the berries a year, and then they hatch them artificially in jars and deposit them when they are a few days old.

Chief Justice HAZEN. Now, do you think that better results could be obtained by getting those berries and hatching them artificially than would be obtained by taking that lobster and putting it back into the sea and letting it deposit those berries in the way that nature intended?

Mr. YOUNG. I think that is the proper way.

Chief Justice HAZEN. You think that is the proper way?

Mr. YOUNG. To my mind. My impression is that that would be a proper way.

Chief Justice HAZEN. We have been experimenting with lobster hatcheries in Canada for some time—a good many lobster hatcheries—and the fishery officers of the department, I think, entertain very grave doubts as to the effectiveness of that. That is true, I believe, Mr. Found?

Mr. FOUND. Yes.

Chief Justice HAZEN. Now, you spoke of the minimum of 10½ inches as being your opinion of the right minimum size. That no lobsters should be caught under 10½ inches. May I ask you if you

have given any consideration to the question of a maximum size? It has been represented to us that while a lobster of 9 inches will have a certain number of berries, those berries increase enormously as the lobster gets larger, and a lobster of  $12\frac{1}{2}$  inches will have berries running to almost fabulous numbers. Have you considered whether, in addition to having a minimum size of  $10\frac{1}{2}$  inches, it would be well to also have a size beyond which a lobster can not be caught? A maximum size?

Mr. YOUNG. I have thought that over a great deal, and theoretically it sounds good, but practically it is a hard thing to do. Now, it is a hard thing to measure a lobster anyway. Some States measure it by the length of the lobster from the bone on its nose to the end of its tail, and other States measure it from the bone on its nose to the end of the body shell.

Chief Justice HAZEN. Which way do you call the carapace measure? Do you know that expression?

Mr. YOUNG. No; that is beyond me. The back-shell measure, I presume that is. That is better than the other way. But there is a measure in Rhode Island that has been exploited lately which is better than either of them, to my mind.

Chief Justice HAZEN. When you speak of the  $10\frac{1}{2}$  inches, you mean the measure along the total length?

Mr. YOUNG. The whole length.

Chief Justice HAZEN. I think they speak of it in the department as the carapace measurement.

Mr. YOUNG. The whole length of the lobster from the end of the bone on the body shell to the end of the bone on the middle flipper of his tail.

Chief Justice HAZEN. Now, to come back to my question. Do you think there should be a maximum as well as a minimum size?

Mr. YOUNG. No; I do not; because, as I say, it is impracticable for the fisherman to measure the lobster on both ends. I think, if you will let lobsters come to  $10\frac{1}{2}$  inches, they have been matured, and they will breed, and there will be enough of them escape to continue breeding.

Chief Justice HAZEN. Well, I understand you to say it is not practicable to measure. It is practicable to measure under  $10\frac{1}{2}$  inches, and why isn't it practicable to measure for over  $12\frac{1}{2}$  or 13 inches?

Mr. YOUNG. Well, that is true. But we are in hot water all the time trying to measure them  $10\frac{1}{2}$  inches.

Chief Justice HAZEN. You would simply make the water a little hotter, I suppose.

Mr. YOUNG. You would make the water hotter, and we will be subject to more persecutions, I might say. A fisherman has hard work to measure lobsters in a dory out there when there is a little roll on; and if he had to measure them on both ends, it would be quite a proposition.

Chief Justice HAZEN. I judge from what you have said, Mr. Young, that you were the pioneer in this well-smack business that has caused us trouble in Canada.

Mr. YOUNG. Well-smack fishing in Canada?

Chief Justice HAZEN. You have given the business up, I understand?



Mr. YOUNG. I have.

Chief Justice HAZEN. Do you know how many are engaged in it now?

Mr. YOUNG. I think there were three or four smacks off there last year. I don't know just how many.

Chief Justice HAZEN. Do you know how close they come up to the Canadian territorial waters?

Mr. YOUNG. That I don't know. The captain and crew know more about that. I think they go pretty close.

Chief Justice HAZEN. Do you favor that practice?

Mr. YOUNG. I do not.

Chief Justice HAZEN. You are opposed to it?

Mr. YOUNG. I am opposed to it.

Chief Justice HAZEN. You don't think it is a proper practice when there is a closed season in Canada for others to come there and lie outside the 3-mile limit?

Mr. YOUNG. It is not right; it is not fair. As I say, it is the captain and the crews that did it.

Chief Justice HAZEN. You tried it for experimental purposes, as far as I can find out.

Mr. YOUNG. My intention was to go out onto the banks in the sea, such as Cashes Bank, and there must be a lot of territory out on the fishing banks where there is a hard bottom with kelp on it, with feeding ground, where there must be lobsters. But there is no way of getting them.

Chief Justice HAZEN. Would you favor enacting a law to make illegal the practice of well smacks going there and fishing outside the territorial waters, or opposite to them, in Canada, at a time that the Canadian laws make it illegal to fish in the territorial waters?

Mr. YOUNG. I certainly would. I would favor a law of that character. I say it is not fair.

Mr. FOUND. I would merely like to ask Mr. Young if he has ever considered, in connection with the double standard which was suggested, a possible effect on the larger standard of fixing the size of the ring of the trap.

Mr. YOUNG. Well, I don't believe that would be effective. You would find some pretty good sized lobsters in the fishermen's dory—they will get caught.

Mr. FOUND. It would not be perfect, but wouldn't it result very largely in controlling—

Mr. YOUNG. I never thought so. The practical men, the lobster fishermen, could tell you better than I.

Chief Justice HAZEN. Could you, in your opinion, Mr. Young, by prescribing the width between the slats of the traps—could you by that means regulate the size?

Mr. YOUNG. I don't think so.

Chief Justice HAZEN. That is, you would have it wide enough to let the small ones crawl out?

Mr. YOUNG. That has been exploited. I think they have a law in Connecticut now that the bars shall be 2 inches apart. I don't think it is practical.

Chief Justice HAZEN. The lobster refuses to escape?

Mr. YOUNG. When the lobster gets into the trap he stays there.

Chief Justice HAZEN. And he doesn't crawl out through the apertures in the trap?

Mr. YOUNG. He won't crawl out. If the fishermen jerk the trap he goes over sideways and he comes into the dory.

Chief Justice HAZEN. You don't think that would be effective, then, as a practical measure?

Mr. YOUNG. I think nothing but a  $10\frac{1}{2}$ -inch law would be effective.

Mr. SWEET. I think you rather intimated that you thought there was some better method of measuring. Did you not?

Mr. YOUNG. Oh, I was going to say that the State of Rhode Island—I saw a measure down there that seemed to me as though it would be good. That was a measure from the eye socket of the lobster to the end of the bone on the body shell. Now, the eye socket is so placed that it can't be changed, and I don't see how they could shrink very much. You know the bone on the end of the body shell will shrink some, but that eye-socket measurement is better than any thing which you have got now.

Mr. SWEET. What would the length be in that form of measurement to correspond to the  $10\frac{1}{2}$  inches?

Mr. YOUNG. Well, it would be considerably smaller than the block measure which is used now. Just what it is I don't know. Perhaps somebody here can tell.

Dr. SMITH. Mr. Young, coming for a moment to the double-standard measurement, I would like to ask you what, in your opinion, would be the effect on the lobster trade—say, in Boston—of a prohibition on the sale of lobsters below 9 inches and over  $10\frac{1}{2}$  inches?

Mr. YOUNG. Well, what the people demand for lobsters, what they want more than anything, is a lobster that will average from a pound to a pound and three-quarters.

Dr. SMITH. What will be the length of a  $1\frac{3}{4}$ -pound lobster?

Mr. YOUNG. A lobster weighing  $1\frac{3}{4}$  pounds would be somewhere near 11 inches, I should say. We used to figure that a  $10\frac{1}{2}$ -inch lobster weighed about a pound and a half. And a 9-inch lobster will weigh not quite a pound—perhaps average a little less than a pound. The double-standard law from  $10\frac{1}{2}$  to 13, I should say, would be as small as I should want to see it.

Dr. SMITH. Let me ask, what proportion of the lobsters handled in the trade in Boston run over 12 inches in length?

Mr. YOUNG. Why, at certain seasons of the year we have more than others. The early summer—in June—our lobsters from certain places, run pretty large. We have what we call a lot of jumbo lobsters. We have certain places in New Brunswick where we get jumbo lobsters at certain times of the year. But they are not a popular lobster to-day on the market. I think the average lobster, as I say, will weigh somewhere about a pound and a half to 2 pounds.

Dr. SMITH. Would there be great harm done to the lobster trade of Boston if there were a prohibition on the sale of lobsters over 12 inches in length? Would a great shortage result from such a prohibition?

Mr. YOUNG. There would not be any more shortage than is coming along now. But it would be very hard pulling just the same. It is

getting worse and worse now. We have a little time in the spring where there are lots of lobsters; the rest of the time lobsters are a luxury.

Dr. SMITH. In view of the fact that these very large lobsters are not in such demand in the trade, and in view of the fact which the Chief Justice has brought out that these large lobsters produce an infinitely greater number of eggs than the lobsters of smaller size—the increase being in geometrical progression, as a matter of fact—it has been suggested that it would be proper, in order to conserve the present diminishing supply and to attempt to restore the former abundance of the lobster, to prohibit the catching and selling of lobsters, say over 12 inches in length. What would be your own judgment as to the wisdom of such a measure?

Mr. YOUNG. Well, I personally think that a 10½-inch law would be enough. Of course, if we stop catching lobsters altogether for a period of 5 or 10 years we would have more lobsters. If we did not catch lobsters over 11 inches long, we would have more, to be sure. But from a practical standpoint, I think a 10½-inch law, properly enforced, would be enough. That, I think, has been illustrated in the State of Maine. In spite of the fact that there have been hundreds of thousands of lobsters taken out of that State the last few years, the lobster fishing is good in the State of Maine during the season.

Dr. SMITH. It is, however, a fact, I believe, that the present catch of lobsters in Maine is about one-fourth what it was 20 years ago?

Mr. YOUNG. I think likely. I think very likely.

Dr. SMITH. And the only reason the fishing is possible is that the fishermen are getting three, four, or five times as much per pound as they did 20 years ago.

Mr. YOUNG. But, as a matter of fact, they have been taking chicken lobsters out of the State of Maine for 20 years, anyhow. They have been taking lots of them every year. Not people foreign to the State I don't mean, but people in business right in the State have shipped them through. Shipped them through into New York before we ever had a 9-inch law in Massachusetts, and made a business of it.

Dr. SMITH. We do not know whether the general lobster fishery as conducted on the coasts of the various States can be regulated through Federal enactment; but it has been suggested as one of the numerous measures that have been recommended to save the situation that there be established on the coast of each of the lobster-producing States a zone or area in which all lobster fishing should be prohibited for a term of years. What, in your opinion, would be the effect of such legislation as that?

Mr. YOUNG. Well, I think if you were going to do it, stop it altogether; not any particular place, not any particular locality. I think the lobster comes inshore and goes offshore—crawls offshore.

Dr. SMITH. It was for that very reason that it was suggested that areas be established on the coasts of the various States, because any prohibition of fishing in those areas would affect the abundance of lobsters there and not have any influence on the contiguous parts of the coast. So that if you found an area where the lobsters had been so much depleted that fishing was scarcely profitable and established therein a close season of, say, three or five years, you might be able to do something to restore the industry.



Mr. YOUNG. Well, that might be so. But they have zones in Maine where they do practically that same thing, only it is for certain months of the year—in the eastern part of Maine.

Dr. SMITH. Your own statement has shown that the short season or closed time does not have much effect, because immediately on its expiration the fishermen resume operations on a much larger scale and negative the results of the close time.

Mr. YOUNG. That is my idea of it. I think if you are going to make a zone in Massachusetts you had better cut Massachusetts right out altogether. But it would not be hardly fair to the people, perhaps, to allow other States to do lobster business and not allow Massachusetts to do it.

Secretary REDFIELD. Mr. Young, are you sure that the number of vessels engaged in this offshore well smack fishery is not over four?

Mr. YOUNG. I am not absolutely sure; no; but I don't think there were over four there last year—or five.

Secretary REDFIELD. Do you know whether those vessels which engaged in it last year found it profitable or not?

Mr. YOUNG. I don't think they did, because I have had the owners of those vessels tell me they wouldn't send them there again—some of them.

Secretary REDFIELD. Do you regard, then, that offshore lobster fishing is practically a dying industry?

Mr. YOUNG. Why, I think so; but there may be somebody come along who wants to exploit this, probably. Some lobster fisherman may want to try it.

Secretary REDFIELD. Is it, in your judgment, of sufficiently serious volume to have any marked weight upon the supply of the industry?

Mr. YOUNG. I don't think so. What few they catch are way outside the 3-mile limit. It looks big to the fishermen in shore who can't get out, and it makes them feel bad. I don't blame them; it is a hard proposition. I should like to see it stopped, really.

Secretary REDFIELD. Mr. Young, is it or is it not the fact that the difficulty with the business is not only the difference in the laws of which you speak, but in the fact that such laws as there are are not strictly enforced?

Mr. YOUNG. Certainly.

Secretary REDFIELD. It has been suggested that a Federal statute, for which there is precedent in existing law, be passed which would prohibit the entrance into any port of the United States or the transmission in interstate commerce within the United States of any lobster caught in contravention of any State law or of any law of another country. Would or would not such a law as that be, in your judgment, effective?

Mr. YOUNG. Why, I think it would provided we had a law here—for instance, if we had a 10½-inch law in this country and we could stop the importation of lobsters of less than 10½ inches into the country I think it would be a good thing.

Secretary REDFIELD. Well, the lack of enforcement of the law means, does it not, that whatever the length permitted by law, lobsters shorter than that are caught and sold?

Mr. YOUNG. Yes.

Secretary REDFIELD. So that the law which I speak of—its effect would be, first, for example, to prohibit their entrance to this port;

and second, if they got into the port would prohibit their being shipped out of Massachusetts, and would stop such violation, would it not?

Mr. YOUNG. Certainly.

Secretary REDFIELD. But as you think of it, does it seem to you an effective measure?

Mr. YOUNG. Why, yes; it would be right along those lines. But don't you know that a lot of these short lobsters that are used are used at the seashore? They are caught right there and held right there. Any of you gentlemen who go to the State of Maine in the summer time know that. You go down there and eat short lobsters.

Secretary REDFIELD. Of course, the Federal statute can not operate within the State, but it could prohibit the entrance of short lobsters into any port and their transmission out of that port. So that, for example, it would stop the shipping to New York from this locality, or would stop the entrance into the port of New York of any vessel carrying those. I will ask Dr. Smith if there is not a precedent for such a law already existing in connection with the sponges from Florida.

Dr. SMITH. That seems to be a similar case, where it has been found necessary, in order to save the supply of commercial sponges on the coast of Florida, to prohibit the destruction of sponges less than a certain number of inches in diameter, and the law reaches such offenders by prohibiting the landing at any point in the United States of any sponges less than a certain size.

Mr. YOUNG. Well, the greater part of the lobsters coming into Boston go out of the State—that is, a good proportion of them—and that would be effective and it would stop the inclination to bring them in if they couldn't ship them out.

Secretary REDFIELD. Have you any idea, Mr. Young, of the average earnings of the Maine coast lobster fishermen, or on the Massachusetts coast?

Mr. YOUNG. Why, I haven't an accurate idea. I had a fisherman in the shop the other day from Maine, and he is as good a fisherman as any man, I suppose, and he told me he stocked \$2,400—\$2,200—the year before last. Then he goes on to tell me that considering the expense of his gear and lobster traps, and his boat, I would be surprised to know how little he had left for himself when he got through. But I think he is above the average.

Secretary REDFIELD. Did he tell you what he had left?

Mr. YOUNG. No; he didn't tell me.

Chief Justice HAZEN. How many months in the year would he engage in fishing?

Mr. YOUNG. Probably start in the 1st of May and fish up to Thanksgiving time. Perhaps the middle of December—

Chief Justice HAZEN. That is November.

Mr. YOUNG. The last of November or the first of December. Perhaps the middle or the last of November, if the weather kept good.

Chief Justice HAZEN. Engaging in fishing a little over seven months, then?

Mr. YOUNG. Seven months.

Secretary REDFIELD. Would you favor a request on the part of the Food Administration, backed up by the Bureau of Fisheries and operating through the State committees of defense in every State

and the food administrator in every State, appealing to the people of the country to cease buying lobsters for a period?

Mr. YOUNG. I should not favor that, because I am in the lobster business.

Secretary REDFIELD. Thank you.

Mr. YOUNG. I don't know why that would be necessary. If a man will eat a lobster, he won't eat a piece of beefsteak. Perhaps it costs him more money. But if he eats lobster, he is conserving something else that is a luxury. And if he can afford to buy lobster and pay for it, why let him buy and pay for it. He is saving something else which is really necessary.

Chief Justice HAZEN. Saving beef or bacon.

Secretary REDFIELD. Saving beef or bacon; yes.

Mr. YOUNG. Saving beef or bacon.

Secretary REDFIELD. I only mentioned it to get your idea as to what was possible.

Mr. YOUNG. It is possible. It is a luxury which can be gotten along without.

Secretary REDFIELD. But isn't it a fact that the country ought not to get along without any productive industry which can be saved?

Mr. YOUNG. That is true.

Secretary REDFIELD. And the point of view ought to be, should it not, putting the industry upon a permanent basis?

Mr. YOUNG. If we can do it.

Secretary REDFIELD. If it can be done.

Mr. YOUNG. I would like to see it done that way.

Secretary REDFIELD. I can remember very well, Mr. Young, when, at my house in Maine 15 years ago, I could get all the lobsters I wanted at 25 cents apiece; I can't do it now.

Chief Justice HAZEN. Down in the maritime provinces all you had to do when the tide was out was to go around with a hook and pull them out from under the rocks.

Mr. YOUNG. I know 15 years ago you could go down in Maine and buy them for 50 cents a dozen.

Secretary REDFIELD. Thank you very much, indeed, Mr. Young.

#### **STATEMENT BY MR. JOHN G. COX, OF THE CONSOLIDATED LOBSTER CO.**

Secretary REDFIELD. Mr. Cox, what is your business?

Mr. Cox. Connected with the Consolidated Lobster Co.

Secretary REDFIELD. How are your operations conducted, Mr. Cox?

Mr. Cox. Our operations are conducted mostly by smacks. We send out after lobsters.

Secretary REDFIELD. Are you sending out some of these well smacks to the Nova Scotia coast, Mr. Cox?

Mr. Cox. Yes.

Secretary REDFIELD. How many are you sending?

Mr. Cox. What do you mean? By fishing on the outside?

Secretary REDFIELD. Yes.

Mr. Cox. We had two in that operation last year.

Secretary REDFIELD. Are you going to do it again this next summer?



Mr. Cox. No, sir; we are out of the business. We are out of it. No more.

Secretary REDFIELD. Why?

Mr. Cox. Well, we didn't find it profitable last year, so that we have quit. I can tell you faithfully we are all through on that line.

Secretary REDFIELD. Who else is in the business, if you don't mind saying? If you do, don't say.

Mr. Cox. In this same line you spoke about?

Secretary REDFIELD. Yes.

Mr. Cox. I believe there is only one more. The Boston Lobster Co., I think, operated one smack there last year besides ours.

Secretary REDFIELD. Am I correct, then, in understanding from you and from Mr. Young together, that you had two, and the Boston Lobster Co. had one, and Mr. Young had one, and that was all last year?

Mr. YOUNG. Excuse me; I had none last year. I haven't had any for a number of years.

Secretary REDFIELD. I beg your pardon; I didn't mean to misrepresent you. Then there were only three last year?

Mr. Cox. Only three, I guess, last year.

Secretary REDFIELD. Now, search your memory, Mr. Cox. We want to get the facts—that is all we want. Three was the limit, was it, last year, so far as you know?

Mr. Cox. So far as I know.

Secretary REDFIELD. And are the gentlemen of the Boston Lobster Co. here to-day to speak for themselves?

Mr. Cox. I don't know, sir.

Secretary REDFIELD. Is there anybody here representing the Boston Lobster Co.?

A VOICE. I can get them here if you want them here.

Secretary REDFIELD. I think it might be very desirable, inasmuch as this subject has taken this comparatively new phase that has been explained by Mr. Young and Mr. Cox. I think it would be as well to get the whole thing.

Chief Justice HAZEN. It is well to get the whole business.

Secretary REDFIELD. It affects the situation in certain particulars and makes it clearer than before. I want to say that we appreciate your testimony and Mr. Young's very highly. You did not find the business profitable. What is the reason for that, Mr. Cox?

Mr. Cox. Well, on account of the size of the lobsters, for one thing. The very large lobsters we got up there in that locality—they are great big lobsters and hard to sell, for one thing; and another thing, the crew don't get enough to make it pay.

Dr. SMITH. You mean the native fishermen did not get enough to make it pay or the men you sent on the vessel from Boston?

Mr. Cox. Well, I would say that those are all native fishermen that we had in these vessels. They all came from the Provinces.

Secretary REDFIELD. Did you have American officers on your vessel?

Mr. Cox. Yes, sir. They were naturalized; yes, sir. But they are all, practically, from their own country, or from the British Provinces, and from that locality near where they fish. They leave

their traps there and after the close season, in June, go down and start in with their own gear.

Secretary REDFIELD. Is the capital invested in your business American capital?

Mr. Cox. Yes, sir.

Secretary REDFIELD. And are the active owners of your business native-born Americans?

Mr. Cox. Well, I wouldn't say that they are all native born.

Secretary REDFIELD. What I want to get at is, whether it is in any degree a fact that natives of Canada have come here and are operating this business, using their fellow countrymen there in the way I speak of, by taking possible advantage of American citizenship as masters of vessels?

Mr. Cox. Well, they are all naturalized.

Secretary REDFIELD. The captains, of course, have to be.

Mr. Cox. Yes; but the other crew were not.

Secretary REDFIELD. Are you a native-born American?

Mr. Cox. No, sir; I was born in Nova Scotia myself, in 1859.

Secretary REDFIELD. I congratulate you on being a year younger than I. What is your outlook at the lobster business, as you see it now, Mr. Cox?

Mr. Cox. Well, my views are practically the same as Mr. Young's, who just preceded me. I think we ought to have a Federal law.

Secretary REDFIELD. Would you favor a law which would prohibit the entrance into an American port of lobsters caught contrary to the law of any State or country, and also which would prohibit their transportation in interstate commerce?

Mr. Cox. Is that just coming in from Nova Scotia?

Secretary REDFIELD. No: I mean this, to explain it: Let us suppose a man catches an 8-inch lobster, or any lobster which is contrary to the law of the place where he gets it and then goes offshore for several days and meets accidentally a vessel offshore, and brings it into the port of Boston, or the port of Gloucester, or any other port. The suggestion is to enact a law which would prohibit those goods thus caught contrary to the law of the place where they were taken from entering the port in the first place; and if by any accident they got in would prohibit their being shipped out of that port in interstate commerce beyond the confines of the State.

Mr. YOUNG. Well, if the Federal law was passed so that the measure was the same in each and every State it would cure the whole thing, wouldn't it?

Secretary REDFIELD. That is exactly what the object of it would be. Mr. Cox. To provide a law which would have the same bearing precisely everywhere, which would be enforced by an entirely impartial authority from without, and which would have the double bearing of prohibiting, first, and preventing so far as humanly possible, the entrance into any port of the goods unlawfully captured; and secondly, if they should have entered, would prohibit their movement in the commerce of the country outside of the confines of any State. That would be the purpose. Such a law, if enforced, you would regard as effective?

Mr. Cox. Yes; I think it would be.

Mr. SWEET. And you would favor it, would you?

Mr. Cox. Yes, sir.

Dr. SMITH. Mr. Cox, what would be your idea of the nature and scope of a Federal lobster law?

Mr. Cox. Well, I think the measure should be the same in each and every State. That would be better for all concerned.

Dr. SMITH. Are you prepared to suggest what that measure ought to be?

Mr. Cox. Well, I think a 10½-inch lobster—I think they ought to come to that.

Dr. SMITH. And you would have that apply to the States to the westward where a 9-inch law has always prevailed?

Mr. Cox. Yes, sir.

Mr. SWEET. Have you ever considered the matter of a maximum size, Mr. Cox?

Mr. Cox. No; I have not.

Chief Justice HAZEN. Have you had any experience in connection with artificial propagation of lobsters?

Mr. Cox. No; I have not; no, sir.

Chief Justice HAZEN. What would be your opinion as to the efficacy of a measure which would require the ring through which the lobster goes into the trap to be not less than a certain size, and that would provide a space between the slats large enough to enable a lobster not 9 inches or 10½ inches to escape.

Mr. Cox. I don't think it would be practicable.

Chief Justice HAZEN. Why?

Mr. Cox. Well, on account of—as far as Mr. Young said, they pull them up there; they get them anywhere; they hang on the sides or somewhere.

Chief Justice HAZEN. Well, if you have the ring of proper size at the entrance to the trap, how could a larger lobster get in?

Mr. Cox. Well, they don't get in now, I suppose. You would catch about the same size they do now, I suppose.

Chief Justice HAZEN. No; but you have the ring made so that the lobster larger than 10½ inches can't get through the ring. How could any larger lobster get through?

Mr. Cox. That is a pretty hard question to answer.

Chief Justice HAZEN. Well, I suppose a lobster goes through head first, doesn't he?

Mr. Cox. He goes through either way.

Chief Justice HAZEN. Wouldn't it be possible to regulate the size so that a lobster over that size wouldn't get through?

Mr. Cox. I don't think so.

Chief Justice HAZEN. You don't think it would be possible?

Mr. Cox. No, sir.

Chief Justice HAZEN. I don't understand the reason. You are a practical man in the business and I am not. But what is the reason it would not be?

Mr. Cox. I think a lobster that would go into that ring would go in there anyway. I don't see where the ring would cut a great deal of figure. Of course it would in a certain way; but a 12-inch lobster would go in there if the ring was as thick as a 7 or 8-inch lobster.

Chief Justice HAZEN. Wouldn't it entirely depend upon the size of the ring?



Mr. Cox. Yes; it would.

Chief Justice HAZEN. A 7 or 8 inch lobster could go through a ring that a 12-inch lobster couldn't go through, couldn't it?

Mr. Cox. Yes; I think so.

Chief Justice HAZEN. I am trying to get some information on this subject, because it is said that is a way you can regulate the size.

Mr. Cox. I don't believe it could be regulated that way.

Chief Justice HAZEN. You don't believe it could, from your experience? Now, do you think it is possible—

Mr. YOUNG. I would like to answer that question myself. Mr. Chairman. Lobsters are like men—some are long and lanky and some are stout. Now, you must consider that.

Chief Justice HAZEN. There is a general average, though. I suppose.

Mr. YOUNG. There is a general average; yes; to be sure. But you will catch a lot of lobsters you don't want to catch, and you won't catch those that you do want to catch. But as long as there is any bait in the trap he will get his claw in that ring and will get his claw in the trap and come to the surface—as long as there is any bait in that trap. It is pretty hard to regulate it by the ring or the width of the slats. Another thing on the width of the slats—if the fishermen are honest and put the slats on dry and then put the traps in the water they will swell. It is pretty hard to judge by that. It would be awful hard to regulate the width between the slats on those lobster traps.

Chief Justice HAZEN. Do you agree to that, Captain?

Capt. CARL C. YOUNG. Yes, sir.

Dr. SMITH. Mr. Young, may I ask you a question? Assuming a hungry lobster desires to get into a trap for the bait, the ring of which is not much greater in diameter than his own diameter, is there a possibility that such a lobster would become jammed and would prevent the trap from fishing?

Mr. ALFRED L. YOUNG. Why, I suppose that is a possibility, but not a probability.

Dr. SMITH. Not a probability?

Secretary REDFIELD. Well, isn't it a fact Mr. Young, you say that when there is bait in the trap the lobster will try to get in any way. If he can't get in the ring he will get in the side or he will hang on to the trap and be pulled out of the water.

Mr. YOUNG. It is a fact; we know it.

Secretary REDFIELD. It is a fact, isn't it?

Mr. YOUNG. You catch the best lobsters on the outside of the trap, sometimes.

Secretary REDFIELD. I have seen it 50 times.

Mr. YOUNG. Certainly. Pull them up with the trap and take them off in the boat.

Mr. FOUND. It may be of some interest to merely state some experiments that were carried on up on the coast of Nova Scotia in regard to the efficacy of regulating the space between the two lower laths on either side. We set some traps so arranged, baited, and put others with no bait in them; put lobsters in them and put them out. We found in the instances in which the traps were not baited that all the lobsters that were small enough went out. And so in the trap where the bait was out the lobsters went out. And it may also be

stated that following that experiment—though it was not adopted in Canada and has not been yet—that Newfoundland took it up two years ago, and Newfoundland is following it to the present time and using it as of very material advantage as controlling the minimum size of lobsters that may be taken. That is the existing law in Newfoundland.

Secretary REDFIELD. There was one interesting matter brought out in the testimony of Mr. Young and Mr. Cox which I want to be sure and understand correctly, and that is that when the lobster passes a certain size he is not as marketable. That, I think, is the fact.

Mr. YOUNG. Yes, sir.

Secretary REDFIELD. And about what size would you put that?

Mr. YOUNG. When a lobster is 3 pounds or over we do not want him—do not like to take him.

Secretary REDFIELD. I would like to ask Dr. Smith if lobsters larger than that are not the most productive?

Dr. SMITH. A lobster weighing 3 pounds is two or three times as productive of eggs as one weighing a pound and a half.

Secretary REDFIELD. What does that mean in figures, approximately? Go outside the facts—imagine a 4-pound lobster. What will that produce in eggs as compared with a pound and a half lobster?

Dr. SMITH. I can work it out for you in tabular form very quickly. For every increase of 2 inches in size there is double the number of eggs produced.

Secretary REDFIELD. So that you mean by that—

Dr. SMITH. Say, starting with a 10-inch lobster, which we will assume produces 10,000 eggs, a 12-inch lobster will produce 20,000 eggs and a 14-inch lobster will produce 40,000 eggs, until you get the maximum, which is something over 100,000 eggs.

Secretary REDFIELD. The interesting part of that, it seems to me, is to be found in the fact that the lobsters which are of the least commercial value are of the largest value for reproduction.

Dr. SMITH. For keeping up the supply.

Secretary REDFIELD. That is a very important fact, if it is a fact, Mr. Young.

Mr. YOUNG. May I ask the doctor a question? Would it be more valuable to liberate the lobsters up to 10½ inches than it would to save those over 15 from a propagation standpoint?

Dr. SMITH. Well, at the present time the productive capacity of the lobster scales is much greater for the smaller lobsters, because those lobsters are much more numerous. In normal times, before man had begun to make his depredations, it was the larger lobsters on which the future supply depended. So that if we could secure anything like a re-establishment of the normal by any protective legislation which was feasible, then the future lobster supply, in my opinion, ought to be safeguarded by the protection of these older lobsters, which have the least market value. Does that answer your question?

Mr. YOUNG. Yes. What I have always thought was that a lobster—if you allow a lobster to get to 10½ inches, he has had time enough after maturity to produce his kind once or twice, and it would be more effective, considering the large number that would reproduce, than to save those over 13 inches. I can't help but think

that if you kill all your chickens you can't get any old hens some day or other. If you catch all your small lobsters, you will not get any old lobsters over 13 inches a little later. That is my point.

Secretary REDFIELD. That is a good point. Has the gentleman come from the Boston Lobster Co.? [No response.] Pending his coming I want to raise another phase of the subject having to do with the general proposition which we are studying on the matter of the mutual relations of the Canadian and American vessels. I am a little bit surprised and very much interested not to hear anyone raise the matter of the Canadian bounty upon fishing. I would like to ask Capt. Young whether that is, in his mind, an important factor.

Capt. CARL C. YOUNG. I will take that up in Gloucester to-morrow. To my mind it is not such a great factor.

Secretary REDFIELD. It is not such an important factor?

Capt. YOUNG. No. I do not really think so. I do not really know how large it would amount to to-day, but I was talking in regard to that the other day, and I thought it amounted to pretty nearly \$10 a ton per vessel.

Secretary REDFIELD. That is the reason why I am bringing the matter up.

Chief Justice HAZEN. After the abrogation of the treaty of Washington there was an arbitration for injury done to the fishing, and the result of that arbitration was an award of \$5,500,000. Of that amount \$1,500,000 went to Newfoundland and \$4,000,000 came to the Dominion of Canada. The Parliament of Canada decided to make a fund of that, and it was invested at 4 per cent, and the interest was to be paid every year for the encouragement of deep-sea fishing and the encouragement of construction of fishing vessels. And it amounts to this: \$160,000 is divided every year among all those people engaged in our fisheries. No fishing vessel can get over \$80—the most it can get is \$1 a ton up to \$80. The men on the fishing vessel—the most they have ever got—it varies—the most they have ever got is \$6.15. The boats get \$1 apiece. Those engaged in the boat fishing get \$1 apiece for each boat and the men engaged in the boats something like \$4.25. Sometimes it runs down as low as \$3 something. It varies with the number of men engaged in the business. I have heard this matter discussed as being a large bounty. I have heard it discussed that a bounty was paid on the catch of the fish, as is the case with France. The men go out from France and get a bounty from the French Government. But the Canadian bounty is what I have told you. There is no \$10 a ton; the most is \$1 a ton, and that is limited to vessels of 80 tons.

Capt. YOUNG. I beg your pardon; I know better, because I know there is no vessel that gets over \$100. I meant when I said that, \$1 a ton. Did I say \$10 a ton? That is where I made a mistake, because I know it was \$1 a ton. It is from \$8 to \$12 for the boat.

Chief Justice HAZEN. No; each boat owner gets \$1.

Capt. YOUNG. From \$8 to \$10.

Chief Justice HAZEN. No; it doesn't amount to that. Each man on a boat gets from \$3 odd to \$4 odd, each man on a vessel gets from \$5 odd to \$6 odd, depending on the number engaged in the industry. Of course, the total amount can never exceed \$160,000, or 4 per cent of the \$4,000,000, which was Canada's share paid by



the United States, you understand, under the arbitration which followed the treaty of Washington.

Capt. YOUNG. Well, I meant all right.

Chief Justice HAZEN. There is no doubt about that; you always mean right, Captain. You have convinced us of that.

Secretary REDFIELD. Now, there are certain other suggestions which I should like to make for your consideration and for the information of the commission, asking you to advise us of the facts, either now or later at the session of this afternoon, if you have any facts or know of anyone who has any facts which bear upon the matters which are before us. It is the information of the commission in a very general way that the food supply of Great Britain from fishing has been cut in half by the war, or more than cut in half by the war.

Chief Justice HAZEN. It is not a third.

Secretary REDFIELD. The chief justice corrects me and says it is only about a third of what it was; that substantially the entire trawler fleet of Great Britain, with such additions as they have been able to make to it, is occupied in the war; that there have been very serious losses to that fleet of vessels destroyed by mines, torpedoes, and by naval operations generally; that in addition to that the fleet has been under wear and tear and the war has made impossible the upkeep to any normal degree for a period of nearly or quite three years past, and that that condition still continues; that the shipbuilding capacity of Great Britain is overtaxed with the demands of the navy and of the merchant fleet; that for a considerable period after the war the shipbuilding industry of Great Britain will necessarily be severely taxed in order to restore the merchant fleet to its former dimensions. Incidental to that you, of course, know that so great has been the demand for shipbuilding in Great Britain that, although the war has been in progress and her navy in active use during the war, it is officially, I believe, published that the navy of Great Britain is to-day double the size it was three and one-half years ago. Consequently, the commission have this general information: That the fishing fleet—the steam trawler fleet I am speaking of now—of Great Britain is in a condition where it is quite unequal to the demands made upon it for food, and that the close of the war seems likely to find it, if the war shall long continue, even less equal to meeting those demands. The people of Great Britain have made great sacrifices in the way of their food—greater than we have yet dreamed of making—and they must look forward to a considerable time following the war in which it will be necessary to restore this fleet to its normal dimensions, which will take a considerable time, if you remember the demands, to build some millions of tons of merchant shipping at that time. I am not telling you all these things to inform you; I am speaking of them as the information which in a very general way is before us. I am not making an official statement of fact, but simply summarizing briefly the information we have, in the thought that there will be those among you who, having knowledge of the matter, may yourselves inform us later as to whether in any degree these things are right or wrong, incorrect or correct.

The apparent situation that is brought before the commission, then, is one in which it does not seem to be physically possible to have any very rapid or any very large entry from the other side of

any new element in the fishing competition of the North Atlantic from the source that I have suggested. If that is true, to the extent it is true it is a very important factor in the matter that we are discussing. And I think perhaps it would only be fair to say, in behalf of the general fishing fraternity at large, that there perhaps is no more wonderful story, full of romance, of heroism, of self-sacrifice, than that same story of the English trawlers in the North Sea during the three winters and summers that have gone by, when, without regard to their own safety or comfort, they have fought the fight in which you and I are just as much interested as they, at a fearful cost to themselves, and without thought of life or anything of the kind. It is one of the most heroic stories in the world—that of these merchant fishermen called into this very terrible service. They are becoming more familiar with German mines than they were with the fish which it was their habit to catch. But it has a bearing upon the general economic situation of the world. I want to ask if there is anybody here who is able to inform the commission as to the extent to which fresh fish are brought into Boston or Gloucester from other countries than Canada. Is there brought in here any quantity of fish from Newfoundland?

MR. GEORGE E. WILLEY. I think through the bureau we could give you the figures of the imports from Novo Scotia—in fact, all points—of fresh fish for any period you might like.

Secretary REDFIELD. I think we can get the customs records, and have asked for them. But what I want to get at very candidly is the extent to which this proposition we are discussing, of allowing Canadian vessels to come from the banks direct into Boston or elsewhere and to go back direct to the banks—the extent to which that really comes as a factor in the normal operation of the business. Now, if we have got plants enough—American plants enough—to supply all the demands of this country, that is one thing; if we have not, that is a very different thing. If we need for our own food supply to call upon other countries for supplies of fresh fish, and are doing it, then the question whether we will facilitate in a small degree the movement of that supply is very different from what it would be if we had an abundant oversupply and were simply adding to the facilities in the way I speak of. Now, is it not a fact that fresh fish, or fish of some kind, is imported not only from Newfoundland but even from across the sea? Is it not a fact that fresh fish is imported—or fish—either fresh fish or salted fish, is imported from the Irish coast into New England? Isn't that a fact? It is, is it not, sir?

MR. C. F. WONSON. Yes, sir.

#### STATEMENT BY MR. C. F. WONSON, REPRESENTING GLOUCESTER SALT FISH CO.

MR. WONSON. I was waiting for the commission to come to Gloucester; I was simply a spectator, and I would rather be a listener than to talk. But your remarks give me an idea, and I think I can, from my standpoint at least, furnish a little light. We in Gloucester have conveniences as a very large distributor of fish food, particular salt-fish foods, but we have not, and have not had for some little time—and from the indications now under the new demand

which has been created by the Government publicity—we have not the facilities for supplying the material. There is no question about that; and I think that when you come to Gloucester to-morrow, you gentlemen, you will get unanimous testimony to that effect. That must be the honest presentation. We have not the material; we have not the conveniences for securing the material from our own American vessels. The raw material must come from outside, both fresh and salt. As a distributing center I think we have the plant sufficient. We can do a very much larger business than we are doing at the present time. The unprecedented demand which has been created from one cause and another—principally, I think, from the publicity work of the Government—has been such this year that none of the plants in Gloucester, even the largest, have been able to supply anywhere near the demand. My own plant, which supplies wholesale a half million dollars worth of fish products, has turned down this present year more business than ever, and that business in itself is twice as much as the business has ever developed in any year previous in the last 18 years. It has been a peculiar situation. The demand for the product has been such, and so insistent, that jobbing houses have been apparently willing to pay almost any price—any asking price. The ordinary demand from regular customers has given each house so much business that few, if any, of us have been desirous of any new business. And time after time, in replying to a request for quotations, prices have been named to customers that were extortionate, and, I will tell you frankly, simply because we did not want the business. But we couldn't refuse them—the order came back.

Now, that is the condition generally, and it is a condition that is not going to be materially affected after this war is over. The country is being educated, thanks to the United States Government, that fish is a pretty good thing to eat. We people in the fish business—and I, like my friend here, have been in it all my life, and my father and grandfather before me, and we have not had the business brains enough to educate the people of this country in regard to fish. Right in my own town of Gloucester, a fishing town, you would think that everybody there would eat fish even out of patriotic feeling for the business of the city. On account of the present condition and high price of other food products very many of my personal friends have asked me to send them over a box of fish, and I do so readily. This is something that happened only two nights ago. The cashier of one the banks, sitting in the board of trade rooms, said, "Have you got any more of that fish?" And I said, "Yes; but you haven't used up all I sent you last week?" "Yes," he said, "it is all gone; everybody that comes in, my wife serves this fish to them, and they say, 'Where did you get that nice fish; never had anything like that before': send me over twice as much." He said, "Prior to that box of fish I got from you—and I got it because everybody was talking fish and I thought it was about time for us to help out the situation by eating some fish—but," he said, "prior to that box of fish I got from you we hadn't had any fish in our house and had not served any on our table for three or four years." Now, what do you think of that, gentlemen? And that was not fresh fish, it was cured fish. And that is being done all over the country.



Chief Justice HAZEN. I think the people throughout the country have forgotten how to cook salt fish. There is nothing more delicious.

Mr. WONSON. True. That is one thing we have failed to do in the salt-fish business. The fresh-fish people have been wiser, and they are distributing all over the country pamphlets, recipes, ways of cooking fresh fish. We, the salt-fish people, have done it in a small way, but not generally. We haven't made it large enough. That is the trouble now. Most people don't know how to cook it. It is a little more trouble, I will admit, to cook a piece of salt fish palatably—not only in the cooking but in the preparation and the serving—than it is to take a nice sirloin steak and throw it on the griddle; but if it is done right, gentlemen, you have one of the most delicious dishes you can find anywhere.

Chief Justice HAZEN. I entirely agree with you.

Mr. WONSON. Now, gentlemen, from a personal standpoint in my own particular business, I want material. I do not care where it comes from; give me material. And I will put out the goods, sell the goods. It is a selfish standpoint. But in the larger aspect of it I believe it is for the benefit of the country as a whole, and that is what I am working for. I will sacrifice my personal ambition or any personal monetary gain for myself if any man can show me that it is for the good of the country. And this is. And if there was anything that pleased me last night at the banquet it was to hear an official of the United States Government put the thing right down on a good, square, solid basis. That is the way I like to hear a man talk. And, Mr. Secretary, you can rely upon me every time; and there are a lot of us that will back you right up. Now, get the facts—and that is exactly what you are doing. You are getting the facts, the way you are proceeding, to settle the thing. If it hurts me, I will stand for it—and everybody else will. We have to get over this idea that because we are interested in a particular line it has got to be protected to the exclusion of every other citizen of the United States. That has been done too long, and it has been bad for our country. I thank you, gentlemen. By the way, I have not given you a chance to ask any questions. I will answer any question you ask, if I can.

Dr. SMITH. Mr. WONSON, are you the owner of any fishing vessels?

Mr. WONSON. No, sir. I am a curer and a distributor.

Dr. SMITH. You have been the owner of fishing vessels?

Mr. WONSON. Only of small boats, and never remunerative. I have always gotten out of it just as quickly as I could. But properly handled vessel ownership is very remunerative. The fact that it was not so in our case was our own fault. We sent vessels for years out of Gloucester—a large fleet, as you know, Mr. Smith. I guess we had not educated the trade up to eating fish; we gutted the market on our own salt fish; paid the vessels nothing. The crews on the co-operative plan made very little; they couldn't maintain themselves and families. We turned around because we hadn't developed the trade. We sold the goods without any profit—hardly enough to pay overhead expenses. And it was one of the most pitiable things that ever happened. Gloucester, which was an old fishing town, having developed 15, 20, or 25 individual firms, all vessel owners—those fellows worked from daylight to dark—economical livers—and they

ran those vessels for years and years and at the end went bankrupt with an investment of anywhere from \$50,000 to \$200,000 or \$300,000, and went bankrupt simply because we didn't know enough about the business to develop the demand so that people were willing to pay a fair price for a first-class food product.

Secretary REDFIELD. Mr. Woxson, are you familiar with the city of St. Louis?

Mr. Woxson. I don't know but very little about western cities.

Secretary REDFIELD. Do you know how fish is sold in St. Louis?

Mr. Woxson. Salt fish, you mean?

Secretary REDFIELD. Any kind.

Mr. Woxson. No; I can't say that I do.

Secretary REDFIELD. I am not making a special point about St. Louis, but I am simply speaking of it as a typical inland city. Has there ever been, to your knowledge, since you have been in the fish business, any definite attempt on the part of the business at large to cultivate continuously a market for fish in a city like St. Louis?

Mr. Woxson. None whatever in my whole recollection.

Secretary REDFIELD. Well, now, do you suppose that the cotton merchants send their traveling salesmen to sell cotton goods? They do, don't they?

Mr. Woxson. Yes, sir.

Secretary REDFIELD. Don't you suppose that the steel mills send their traveling salesmen to St. Louis to sell steel?

Mr. Woxson. Yes, sir.

Secretary REDFIELD. Well, is it a fact, then, that there has not been an attempt on the part of the fishing interests that you represent at large to take the same methods that have been used by other American industries to establish their products in these great central markets?

Mr. Woxson. Yes; I must have misunderstood your question. That has been done. We send out traveling men——

Secretary REDFIELD. Yes, I know; but are they sent out—and this is quite important, it seems to me—are they sent out for the purpose of training the community in the use of these goods, or are they sent out to individual customers whom you want to get an order from?

Mr. Woxson. Yes. That is what I thought you meant. No, not to any degree; but if you will allow me a word I will say that we have one concern in Gloucester which has done that to a more or less extent. The present Gorton-Pew Co. started in business—Slade Gorton Co.—introduced a specialty, and they did that successfully. They proved the efficacy of that method. They would send out missionaries and workmen and create a demand from the consumer, from the householder, for their business.

Secretary REDFIELD. Was it a successful enterprise?

Mr. Woxson. Very; indeed.

Chief Justice HAZEN. Have you sent out people who gave demonstrations of the methods of cooking salt fish?

Mr. Woxson. It has not been done to any extent. I think in a very small way through buyers by the Gorton-Pew people. It has been done more by cooking schools in different sections of the country, and they have taken over our product, samples, and have demonstrated what could be done with them.

Secretary REDFIELD. It is possible, in your judgment, Mr. Wonson, to add to the demand for fish food on the part of the country's population?

Mr. WONSON. Why, it has scarcely been touched, Mr. Secretary, I think.

Secretary REDFIELD. You regard the opportunity as open there?

Mr. WONSON. Oh, yes.

Secretary REDFIELD. Well, suppose that each family in the United States were induced to use a pound a week more fish. Figuring on 20,000,000 families, you would have approximately 80,000,000 pounds a month more fish consumed. Are there facilities known to you to exist to supply that demand?

Mr. WONSON. Not in this country.

Secretary REDFIELD. Or in Canada?

Mr. WONSON. No, sir.

Secretary REDFIELD. Are the facilities available from any source?

Mr. WONSON. Not anywhere; no.

Secretary REDFIELD. And yet is it not the fact that such a state of affairs would still mean that we were eating about only one-third the amount of fish food that other nations eat?

Mr. WONSON. Surely.

Secretary REDFIELD. That is the fact, is it not?

Mr. WONSON. It is, undoubtedly.

Secretary REDFIELD. Then do the commission gather from what you say that there is an untouched opportunity available?

Mr. WONSON. Almost.

Secretary REDFIELD. Practically a virgin soil.

Mr. WONSON. Almost, sir. It just requires energy and efficient management. But as you made the statement, I think, yesterday or last night—while the Government was perfectly ready to supply the men and the money to develop this demand, you wanted to be assured of our power to produce the goods.

Secretary REDFIELD. Produce the goods.

Mr. WONSON. You were just right. We can't do it to-day.

Secretary REDFIELD. We are ready to put on a man and get in behind the proposition of adding to the fish-food demand, but we must be reasonably certain that now or in the near future there will be created the means of supplying that demand, otherwise we will be in a very peculiar position of creating a demand for which there was no supply. Now, I was thinking something of my own experience while on this question, and to my mind—I may be wrong; I want you to correct me if I am—this is a very much larger question, twenty times larger question, than the admission of all the vessels of the world to American ports. The one is by comparison trivial; the other is by comparison enormous. If we are right in thinking that there exists an unused possibility here, then the serious question is, How and where are we going to get the means for filling the demand? Now, I can tell you that I know that in the city of Washington there are families that are, so to speak, specializing on rabbits to-day. They do not want to buy meat—the meat supply is scarce—the fish, when you pay 40 cents or 50 cents a pound for halibut, as is charged in the retail market, is expensive, and I was in a family a short time ago where they soberly were buying canvas-back ducks, which are common on Chesapeake Bay, relatively, because they



were cheaper than fish and cheaper than meat. Now, these are the big things. If it is possible, as we think it is—and we have had some experience introducing fish food ourselves—you find no difficulty, Dr. Smith, in introducing fish food?

Dr. SMITH. None whatever.

Secretary REDFIELD. Has your propaganda in putting fresh fish on the farm—in the pond—been taken up willingly?

Dr. SMITH. It has been taken up with avidity.

Secretary REDFIELD. There is an enormous demand. I speak of the plan which you may have heard of—of saying to the farmer, "Make a little pond on your farm, dam any old brook you have got and get a pond; or if you have got a pond, clean it out; we will furnish fish to stock your pond, and all we will ask you to do is to tell us how the old thing works"—and that is seized upon. And we are taking fish from the Pacific and bringing them into the Plains States, and we can't begin to supply the demand. Trainloads won't supply it. There is a demand, so far as our experience goes for anything. We are running fifty-odd hatcheries in different parts of the country and there is an untouched field here. I will mention now something that New England people smile at, and that is the old, despised, New England dogfish, which is now on the market as grayfish. I suppose the largest order for canned fish ever placed in the United States was placed for an order of grayfish—43 carloads in one order. An entirely new project. And all we could fill out of that order was 800,000 cans, because we couldn't get the tin cans. That shows what is possible to be done. To-day the steamers are coming into American ports bringing whale meat, which is absorbed at good prices by the Pacific coast, where it is served on the tables of all the leading hotels in Seattle, San Francisco, Portland, Los Angeles, and San Diego.

A VOICE. What is it served as?

Secretary REDFIELD. Whale meat. And in my home, the cook that cooked and served whale meat on my table two weeks ago doesn't know to this day that she wasn't cooking beef. Now, if these things are true—and Mr. Wonson confirms them in a measure—then all we have to do in this country is to get busy to find the means of meeting the demand. For I take it that no demand of the kind ever grows less, that the taste for fish food has never in history been known to go off when once established, and that if we can bring the American people up to one-third of the standard of Great Britain it must mean for the fishing ports of the country the most strenuous life they ever knew.

So that instead of saying, "Thou shalt not," must they not in self-defense say to everybody who can bring a fish in, be it in a canoe or what not, wherever it may come from—South Africa, Canada, Ireland, Liberia—wherever it comes from, "For God's sake bring us every fish you can get, because we are going to need it all"? But all we can get for years to come is not going to be sufficient. Now, candidly, I am afraid I am going to make good on my proposition if I can find the man. We have got the money. But I am afraid that in six months we will be up against it. We sent a man 1,000 cases of grayfish to Baltimore, thinking they would last all season. He sold them in a week. It was gone. I am afraid that at the end of six months we will be right up against an en-

bargo because there are not physical means sufficient in Canada and the United States taken together to furnish the material that the country will call for. Now, I hope I am wrong, and I am not making a speech here. I want to get the truth, and you know it, probably, better than I. We just see one end.

**FURTHER STATEMENT BY MR. JOHN BURNS, JR., REPRESENTING  
THE BAY STATE FISHING CO.**

MR. BURNS. Speaking of what this country requires, more particularly on the fresh fish, it seems to me that we have not 20,000,000 families to draw upon. We are necessarily confined to certain territory in the shipment of fresh fish. We get some small shipments as far West as Chicago on fresh shipments. But most of our native codfish, so to speak, come in here in the old-fashioned sailing vessels and our steam trawlers, are landed at the port of Boston, and are distributed in this vicinity. They go at certain seasons of the year as far south as Baltimore and Washington in limited quantities, New York at the present time is a good-sized market, and Philadelphia and through Pennsylvania and Connecticut and the New England States. That takes the bulk of our fish. Now, it is absolutely impossible to reach many points beyond that region.

Therefore, naturally, we are confined in a smaller territory than the whole of the United States for the distribution of fresh fish. That, of course, does not apply to Mr. Wonson, because he is in the salt-fish business. They can be landed as long as they have the facilities for handling them and can be sent to any distant point. But as far as concerns the fresh fish, which is the business of Boston, we have to be very careful on the overproduction. At the present time anything can be sold at good prices. Taking into consideration the fleet equipped to do any fishing, we have working out of Boston 10 trawlers—or we will say  $9\frac{1}{2}$  trawlers, as one of them will not catch a full share—and that has been about the average number of steam trawlers occupied in the business for several years since we have been doing business. In 1917 these nine vessels produced about 33,000,000 pounds of fish. Now, we have under construction steam trawlers that naturally would be occupied in fishing that are now taken by the Government, the Navy Department. We would have added within the next 12 months or thereabouts 29 new steam trawlers. That is calling those now taken by the Government as new. In other words, we have seven trawlers which the Navy is using as mine sweepers. We have under construction, which are about ready for launching, 22 steam trawlers, for the most part of a much larger type than the vessels we are now fishing, with the exception of the two Gorton-Pew vessels, which are of the full capacity. That is 29 against 10 that within the next 12 months I believe will be sailing out of the port of Boston. It is a tremendous increase, figuring that 10 vessels produce 33,000,000 pounds.

Now, that is a very delicate, perishable article of food, and we simply can't reach distant points with it. It has got to be cured or otherwise taken care of before we can go much beyond the Mississippi Valley, and they will use very limited quantities. The southern fisheries, as you all know, have been practically destroyed for want of men and equipment. The past year or so Gloucester has sold out

its fleet because they couldn't man them successfully. It was not profitable for them to man their vessels, and therefore, as I understand it, they have sold some 120 vessels within a short period that might be producing fish to-day. And from an investment standpoint we certainly have got to be more or less careful that we don't overproduce and cause these vessels to fish without gain. We must have an independent production; there is no question about that; and an overproduction at a price that they couldn't fish successfully at would be the worst thing that could happen to the industry. It certainly would not attract capital to the extent of the construction of 22 new trawlers. The business has got to be made attractive for people to invest their money in it. The vessels that are being built to-day are costing approximately \$150,000 to build.

Secretary REDFIELD. Before you leave, Mr. Burns, there is one thing I want to ask. You can reach with fresh fish as far as the Mississippi River?

Mr. BURNS. In limited quantities.

Secretary REDFIELD. And how far south?

Mr. BURNS. We have gone as far as New Orleans this past winter, but very unsuccessfully. The fish are now in cold storage in New Orleans and in one or two other States in the South. The fish that we shipped in the green state did not meet with any satisfaction.

Secretary REDFIELD. Now, this seems to be, then, the fact: That Great Britain uses in normal times, with a population of about 45,000,000, 4,000,000,000 pounds of fish purchased on the fresh fish basis. We use, with a population of 100,000,000, rather less than half that amount—2,000,000,000 pounds of fish. Now, in this area that you can reach by your own statement, you have seven-tenths of the entire population of the United States. You have 70,000,000 of people. Consequently, it would seem possible to increase the sale if we have the goods to sell very largely before we reach anything like the proportions that Great Britain uses. Great Britain, with 45,000,000 people, uses 4,000,000,000 pounds; in the area you can reach you have 70,000,000 people, and yet in the whole country we use but 2,000,000,000 pounds. It would seem as if, should we reach the same level of consumption that Great Britain reaches—I don't know that we can—if we did, however, you would have three times, within the territory you speak of, the sale of fish that now exists in the whole United States. Now, why is it not feasible to make some marked attempt in that direction? Oh, Mr. Burns, your 29 vessels, and 29 more, and a third 29 more, would be swamped out of sight by the demand of 70,000,000 of people if the demand among those 70,000,000 rose to half that which it is per capita in Great Britain. And you would have to count as Grimsby counts trawlers—not by the dozen, but by the hundred—in order to meet that demand. That is what seems to me to be the sober truth: now, if it is not the truth I want to know it.

Now, isn't this also the truth? That a fresh fish store, adequately equipped and given six days in the week for the sale of fresh fish and sea food generally, is most uncommon beyond the Allegheny Mountains. How many of us know of the existence of one? Now, I am in the center of the fishing industry of the country and I am speaking to experts in this line. How many of you know of the existence of such a store? There may be many, but I never saw any. How



many know of the existence of a fresh fish store, adequately equipped with storage facilities, anywhere west of Pittsburgh? Isn't it a fact, or is it a fact, that the fish business is done on Friday morning by the butcher? Isn't that the fact throughout that western country? It may not be so, but I ask for information. Isn't it feasible to put in the mouths of the miners of Pittsburgh the same kind of fish food that they were accustomed to eat before they left Europe? It is not done. Isn't it feasible to do it? Now, these are questions which affect the Department of Commerce. I am ready to get in and help to do those things, and put men on the road to meet that situation.

**STATEMENT BY MR. GEORGE C. FITZPATRICK, OF BOSTON.**

Mr. FITZPATRICK. I would like to ask you a few questions in regard to your statement.

Secretary REDFIELD. I am not making statements; I am asking questions.

Mr. FITZPATRICK. I would like to ask, in view of the fact that this statement has been made, two or three things. What are those 29 trawlers going to do in the meantime? What does the bureau stand ready to do? Are they ready to run a train of refrigerator cars down on the pier—

Secretary REDFIELD. One at a time. Will you have them answered?

Mr. FITZPATRICK. For instance, when 10 big trawlers come in, would it be possible to have a train of refrigerator cars come down on the wharf?

Secretary REDFIELD. I told Mr. Burns last night that if he would agree—that if this thing were taken up on a large scale I would personally go to the Director of Railroads and do my best with him, and I thought I could say trains would be put in position to run from Boston to Chicago as were needed. But I can't do it unless I am going to be assured that the traffic is to be obtained.

Mr. FITZPATRICK. For instance, here is the men that enter into the consideration for the working out of that problem. If those vessels bring in that fish, and it is not used on the profitable days, these men can't get compensated. Would the authorities at Washington stand ready to advocate a pension to the fishermen that have fished for 25, 30, or 35 years, so that they would feel that at a certain time in their life they would be provided for, the men that take the chances? I put in a good deal of time at the fish pier, and I observe things where improvements could be made. But the conditions surrounding the fishing industry—the men engaged in the business have not had the opportunity. They are there from daylight until dark at night trying to economize, and the business has been carried on for 25, 30, or 35 years, and I never heard of a man retiring yet with a dollar, hardly, from the business. Plug day after day. Now, you want to have those fishermen go out and give their youth, vitality, intelligence—such as it is—and then when they get to be 45, 50, or 55 years old they are thrown into the scrap.

Secretary REDFIELD. Mr. Fitzpatrick, pardon me. Mr. Powell, of the Boston Lobster Co., has very kindly come and has waited some minutes, and I feel it is my duty to let him speak now. I will say that I was not making any suggestion of throwing anybody into the scrap. All that is being done is, as business men, to see if there

is a business opportunity, and if so, we are ready to spend the Government's money in helping to develop it. That is all. Is Mr. Powell in the room?

**STATEMENT BY MR. AVERY L. POWELL, PRESIDENT OF THE BOSTON LOBSTER CO.**

Secretary REDFIELD. Mr. Powell, we are interested to inquire what your experience has been in fishing for lobsters off the Nova Scotia coast with the well smacks. Did you have a number of smacks running down there last year?

Mr. POWELL. No, sir; we did not. I had one four years ago—three or four years ago—and I took her off. Last year I didn't send her. In fact, I don't have any intention of sending her any more.

Secretary REDFIELD. Why not?

Mr. POWELL. Well, there is nothing in it. The fishermen couldn't make money enough to make it pay.

Secretary REDFIELD. Why was that, Mr. Powell?

Mr. POWELL. Well, it took too long for a trip, and the lobsters they caught were undesirable—they were large; they were either large or small, and not very desirable to handle—and they were so long on the trip a lot of them died, and finally we gave it up. And, in fact, my smack was lost, anyway, last year. I took her off before she was lost, anyway.

Secretary REDFIELD. To what extent has that business been done, to your knowledge, Mr. Powell?

Mr. POWELL. Well, it has been for three or four years.

Secretary REDFIELD. How many vessels have been engaged in it?

Mr. POWELL. Well, I think the first year there were three or four. Three. And the next year I think there were four, and then three. I think last year that Mr. Cox was the only one that had a smack down there, as far as I know.

Secretary REDFIELD. You regard it as a dead industry?

Mr. POWELL. It is. I don't think anyone would care to go down there for lobsters.

Secretary REDFIELD. Mr. Powell, would you favor a law which would prohibit the entrance into any American port of fish caught contrary to the law of any State or country, and which would further prohibit the movement of those lobsters thus unlawfully caught in interstate commerce?

Mr. POWELL. Why, yes; I think I would. Yes, sir.

Secretary REDFIELD. Do you think that such a Federal law is necessary to the protection of the industry?

Mr. POWELL. I think that there should be a Federal law or some uniform law between all the States so that there would be no infringing on any of the States.

Secretary REDFIELD. I am very much obliged to you, Mr. Powell.

**STATEMENT BY MR. F. J. O'HARE, FISH MERCHANT.**

Mr. O'HARE. My business is to represent all the fresh-fish business in Boston, and my experience has been for 55 years catching and selling fish. I think that the sooner we open the doors wide open to all countries the better for the United States. I believe that the President's declaration for a democratic world is the right thing—not 1 corporation or 10 corporations or 50 corporations. Let the people

get out and rule all the countries. That is what it is coming to, in my opinion; and the sooner it gets to that the better. I remember when we had free trade with Canada before on herring and other fish. We were buying stock in there then for less than they could buy it. You ask me why—why it was? We put down cash there to pay for the goods, and we sent our vessels in there and we bought herring anywhere from 25 cents to 50 cents a barrel less than the people down there could buy it, for the reason that we went down with cash and we paid the fishermen cash. Down there they were taking the fish and putting it on the books and paying them in food.

Now, I have been in favor of free trade, gentlemen, ever since I went fishing at 16. I went into the United States Navy very shortly after the Civil War, and I have been in every country of the world except India. I have been in Melbourne, and have made some inquiries there about the fishing industry there, and I found there that they have prohibitory taxes on their books which stop any American vessel or American corporation going there. I found out they probably would give me a permit for one or two years, not longer than that, but after that they charged me 30 per cent. I said, "That is prohibitive." They wanted a fishing industry there. One company went from London there, and one went from Scotland, and each one failed for the reason that they couldn't do the business there. But they are singing out all the time about fish—fish being so high. They can't get fish. They have been trying to get them. The Government over there has spent over \$500,000,000 or more. They found the banks and the fish, but couldn't get any company to go there and do the fishing. You spoke about rabbits a while ago. There they destroy the rabbits all they can. Every day probably there are 50 rabbits destroyed in the city of Melbourne. I have been there and know all about it.

Secretary REDFIELD. I am afraid that I erred, Mr. O'Hare, in introducing the subject of rabbits.

Mr. O'HARE. You spoke about increasing them here; they are very good food; they are all right. You can live cheap down there on rabbits. And there are some very good lambs down there—the best I ever ate. The beef wasn't so good. And talking about this country, Mr. Burns makes the statement about 29 trawlers. In Grimsby I think there are over 150. I have been in all of those countries. I am the youngest man here, but the oldest in experience. I am only 70, but expect to live some years yet. I hope you will look at this in a broad spirit, not in a mean spirit. This country has grown large enough in my time to go out and defend itself against any country in all business propositions of any kind. And I am much surprised that the young men here should get up and talk about the difficulties of this thing and that thing. I went fishing 15 years, and I will defy anybody to put me down. And I am selling fish 37 years or more. And I am not all in yet.

And yet there were some of the men when I started in business—there were then about 15 dealers, and some loved me so much they wouldn't sell me any goods unless they charged me 2 cents a pound extra. And two or three years afterwards they were glad to call me off. And I am just the same to-day as I was then. I am not afraid to fight everybody and everything. I believe the sooner we throw down the bars and open the doors and do business with the world the better it will be for us.



Secretary REDFIELD. I think we owe Mr. Burns an apology for having interrupted him.

Mr. BURNS. Since I am interrupted, I will stop right here.

Mr. M. A. NICKERSON (of the Boston Lobster Co.). May I be allowed to make a new and very carefully considered statement?

Secretary REDFIELD. Wait just a minute, please. I will ask Congressman Lufkin, who is here, to speak to us, if he desires to do so. I do not wish to be understood, from what I said, as urging any sudden, rash or immediate overthrow of any existing business, or any attempt for somebody or anybody that wants to build a great shipyard and go very largely into immediate construction. Nothing so rash and radical as all that. Least of all, to be understood as implying any criticism—not in the least. But simply this: To offer a suggestion for what it may be worth. It may be worthless; let it be so shown. That is the way we learn. But merely to offer a suggestion as to what seems a possibility, and a possibility more or less confirmed by the experts, the gentlemen who are here. We are here, not to urge any cause, not to promote any propaganda, we are here to study a subject in all its phases, little and large, and to listen and to think and to learn. I do not know whether there are quite as many vessels sold from Gloucester as Mr. Burns speaks of. We have the record of all the sales and they show from Gloucester, each year singularly enough, 11 ships for the last four years. That is all. And the total number of vessels sold of all kinds is not quite as large as Mr. Burns fears. Does Congressman Lufkin care to say a word?

#### STATEMENT BY CONGRESSMAN WILLFRED W. LUFKIN, OF ESSEX, MASS.

Mr. LUFKIN. Mr. Secretary and Commissioners: I have come on here from Washington to receive information rather than to give it. I suppose that whatever your commission recommends will require legislation by the Canadian Parliament and by the American Congress, and I wanted to hear what the commission had to offer; and also—which is rather important with men holding elective positions—what my constituents have to offer. So that I think for to-day I will simply sit still and listen, and I understand you are going to Gloucester to-morrow and I shall probably listen a great deal there also, and perhaps with a keener ear.

Secretary REDFIELD. State Senator Brown is here, and if he desires—

A VOICE. He has gone.

Secretary REDFIELD. I am sorry not to have given him an opportunity earlier, but I think he will be with us to-morrow at Gloucester.

Chief Justice HAZEN. You spoke about being in the fish curing business and distributing business, Mr. Wonson. Do you export any cured fish to points outside the United States?

Mr. WONSON. Not directly, but some others export cured fish to South and Central America—Porto Rico.

Chief Justice HAZEN. Is that any considerable portion of your business?

Mr. WONSON. Quite considerable, particularly this year.

Secretary REDFIELD. What is the style of your business?

Mr. WONSON. The Gloucester Salt Fish Co.

Chief Justice HAZEN. What are the fish you export, chiefly? Alewives?

Mr. WONSON. Oh, no, sir; dry fish.

Chief Justice HAZEN. But don't you cure alewives and sell them?

Mr. WONSON. Yes, sir. We do not get alewives in Gloucester. They come from the surrounding districts in the rivers and are handled and put up and sold for export through New York exporting companies.

Chief Justice HAZEN. What are the fish that are exported from Gloucester down to the West Indies and South America?

Mr. WONSON. Haddock, pollock; more or less codfish; but the larger proportion is what we call the scale fish—the haddock and hake and pollock.

Chief Justice HAZEN. Would there be any demand for that class of ground fish in the American market?

Mr. WONSON. Yes, sir; differently cured.

Mr. SWEET. It might interest some of us, Mr. Wonson, to know what kind of fish you introduced to your banker friend.

Mr. WONSON. The very best codfish. No; I will tell you about that. It was not. I will tell you a little story about that if you will listen for a minute. The first lot that he bought was a slack salt codfish. It is rather a tough-fiber fish, but a very excellent flavored fish, and anyone who has ever eaten one, if he can procure one of those again that is properly cured, he will prefer it to anything else. But the kind of fish that he spoke of so highly was the Georges codfish, which to-day means a high-grade codfish.

Secretary REDFIELD. The conference will now adjourn, to meet at 2.30 at this place.

#### AFTERNOON SESSION.

The conference was resumed at 2.30 p. m., Chairman Redfield presiding.

#### STATEMENT BY MR. W. MUNROE HILL, REPRESENTING THE SHATTUCK & JONES CO.

Secretary REDFIELD. Mr. Hill, will you be kind enough to give your full name and address?

Mr. HILL. W. Munroe Hill, of Shattuck & Jones, Faneuil Hall Market, fish business.

Secretary REDFIELD. What is your specialty?

Mr. HILL. We are distributors of fish to what we call wholesale consumers—institutions, clubs, and hotels, and families.

Secretary REDFIELD. Fresh fish?

Mr. HILL. Fresh fish; yes, sir.

Secretary REDFIELD. How far do your operations extend, geographically?

Mr. HILL. Our farthest shipment to-day is Denver. We ship fresh fish to Denver.

Secretary REDFIELD. Is that a regular matter with you?

Mr. HILL. We have a standing order for two shipments a week—less than 100 pounds each shipment—perhaps 50 or 60 pounds each shipment.

Secretary REDFIELD. And southward? How far do you reach there?

Mr. HILL. We do not reach very far south; no, sir. We send some salt fish, though, into Georgia to the winter resorts.

Secretary REDFIELD. Is the tendency of the market toward an increasing demand for fish food, Mr. Hill?

Mr. HILL. Yes, sir; very much so.

Secretary REDFIELD. What general statement can you give the commission that will indicate the drift of the business?

Mr. HILL. Why, I should think—speaking roughly—that our demand was perhaps 50 per cent increased.

Secretary REDFIELD. In how long has that growth taken place?

Mr. HILL. Well, that particular percentage since the meatless day.

Secretary REDFIELD. Is it your judgment that the growth of the consumption of fish is of a permanent character?

Mr. HILL. In my opinion it is; yes, sir.

Secretary REDFIELD. Has there been any indication, to your knowledge, of any tendency to abandon the use of fish food after adopting it?

Mr. HILL. No, sir. I feel that the education that they receive in the use of fish an extra day, and in using more of it, that they will keep using it, they will know more about it than they have before and see the value of it.

Secretary REDFIELD. Well, as you operate your business, are you proceeding on the basis of a probable increase in the demand?

Mr. HILL. Yes, sir.

Secretary REDFIELD. Do you have any difficulty in obtaining a supply?

Mr. HILL. Well, just now, of course, is our rough weather. That is the only handicap that we have.

Secretary REDFIELD. Are you familiar, from personal knowledge, with the consumption of fish in Great Britain, Mr. Hill?

Mr. HILL. Well, only in a general way—that I have read that they use a great deal of it there.

Secretary REDFIELD. Do you know why they do?

Mr. HILL. Well, in my opinion, I suppose that possibly it was fairly easy for them to get it, and they have been educated in a way to know the value of it; that is, educated to like it and know about it.

Secretary REDFIELD. Has your attention ever been called to the organization of the fish business in Great Britain?

Mr. HILL. It has not; no, sir.

Secretary REDFIELD. Do you know whether it is organized on a national basis or not?

Mr. HILL. I do not know, sir.

Secretary REDFIELD. Is it your judgment—can you inform the commission whether, if the fish business in this country were provided with an assurance of regular supply and ample and regular transportation, that a considerable increase in the volume of business is possible?

Mr. HILL. I think so; yes, sir.



Secretary REDFIELD. Is the matter of regular transportation vital to the business?

Mr. HILL. Yes, sir.

Secretary REDFIELD. At present are you embarrassed by transportation?

Mr. HILL. We are having a little trouble on western shipments; yes, sir.

Secretary REDFIELD. Are you taking steps to increase your business in the interior?

Mr. HILL. Yes, sir. We have even sent a man out there.

Secretary REDFIELD. Sent a traveling man?

Mr. HILL. Yes. And we within a year have had one or two brokers—something we have not done before—in large cities.

Secretary REDFIELD. Interior cities?

Mr. HILL. Yes, sir.

Secretary REDFIELD. Such as, for example?

Mr. HILL. Cleveland.

Secretary REDFIELD. Have you undertaken any educational lines of work?

Mr. HILL. I have lectured before colleges on the different ways of preparing fish. That is, not cooking it, but dressing it; showing the shrinkage that there was in dressing, and the seasons of the year that the fish are more plenty and in the best condition. And I have done that once or twice with colleges; they have requested me to do it. I personally feel there is quite a field for that sort of work, in the way of educating people as to how to handle fish, and the time of the year that certain kinds of fish are better than others.

Secretary REDFIELD. What college in Boston?

Mr. HILL. Simons College.

Secretary REDFIELD. And where else?

Mr. HILL. I am going to lecture next Friday at the Garland School on Chestnut Street, in Boston.

Secretary REDFIELD. Then do you regard work of that character—among the women's colleges, I take it, you mean?

Mr. HILL. That is all I have done so far; yes, sir.

Secretary REDFIELD. Do you regard work of that character as promising from a business standpoint?

Mr. HILL. Yes, sir; I think it is very beneficial.

Secretary REDFIELD. Do you think that propaganda of that character, conducted in connection with the schools of domestic economy throughout the country, would be fruitful?

Mr. HILL. I do, sir; yes, sir.

Secretary REDFIELD. I would like to ask Dr. Smith of the commission if, in connection with the work of the Fisheries Service, there has been a spirit of cooperation shown by the teachers in household economics?

Mr. SMITH. Some of the most effective work we have done in putting before the consuming public these new and neglected fishery products has come from the schools of domestic science of Cornell University, the University of Illinois, and various other institutions of that kind. The women have rendered invaluable aid in that work.

Secretary REDFIELD. So far as your knowledge goes, Mr. Hill, do you know whether the large interior centers of the country are

properly equipped for the handling of fresh fish on a considerable scale?

Mr. HILL. Well, my opinion would be that they are not properly equipped to handle it, as you say, on a large scale; but I think—you are speaking on this matter of education—I think they would take it up very readily if they felt that they could get their supply somewhere nearly regular and uniform; for instance, if they were planning to have fish on Friday, that they could feel that the goods would arrive at least a day or two beforehand, so that they could plan to have them.

Secretary REDFIELD. So that, if I understand you correctly, the certainty of the supply and of the transportation of the supply are two necessary elements to that very large development?

Mr. HILL. Yes, sir.

Secretary REDFIELD. We are very much obliged to you, Mr. Hill. Is there anybody else who would like to ask Mr. Hill a question? [No response.] Thank you very much, indeed, Mr. Hill; it is very kind of you to come.

#### STATEMENT BY MR. GARDNER POOLE, PRESIDENT COMMONWEALTH ICE & COLD STORAGE CO.

Secretary REDFIELD. What is your business, Mr. Poole?

Mr. POOLE. President of the Commonwealth Ice & Cold Storage Co., in connection with the handling of frozen fish.

Secretary REDFIELD. Of course, your business is very largely, if not almost wholly, in connection with freezing fish and the storage of fish?

Mr. POOLE. Yes, sir.

Secretary REDFIELD. Are you connected with the Food Administration in any way, Mr. Poole?

Mr. POOLE. I have been since August of last year representing Mr. Fowler, who is Mr. Hoover's assistant in the fish division of the Food Administration. I have represented him wholly on the fish, representing this New England district. I have been called on several occasions to Washington on conferences.

Secretary REDFIELD. Are you able to say whether there has been a gradual increased demand for fish food within recent months?

Mr. POOLE. Yes; a very material increase in demand.

Secretary REDFIELD. Can you give us any idea as to what the increase has been?

Mr. POOLE. In this district, the State of Massachusetts, we learn from our local food administrator—I believe those figures were compiled by his department—the hotels during the month of November, taken as an example, were able to conserve 3,000,000 pounds of beef in this section, substituting to a large extent fish. The hotel men report that their increase in the consumption of fish during that period was about 50 per cent over the previous year. I do not believe those figures will bear out for the entire district in the matter of consumption and distribution, because, unfortunately, we have had a very severe winter, and with the shortage of fish, generally speaking—fresh fish in this section—we have been unable to supply the demands. However, we have had, fortunately, a fairly large supply of frozen fish. Those fish have been practically 80 per cent

distributed and have filled in the gap during this period of extreme scarcity of fresh fish. In Boston we freeze as public-warehouse men. That is to say, the company with which I am identified do no merchandising. We depend upon the disposition, the ability, of the men on the pier to freeze certain products during the producing season. This year we have frozen—handled frozen—about 18,000,000 pounds, in our plant, of fish; about 10,000,000 pounds of that fish have been shipped over seas for the British Government and for, I believe, the allies. Some of that has gone into England, and a large amount into France.

About five millions of that was sent over the line from Canada and mobilized in Boston to take advantage of our refrigeration space, sailing from here from time to time; the balance has been frozen here in this market on a contract which was placed here by a Canadian company who held a contract with the British Board of Trade, leaving 8,000,000 pounds which we have handled for domestic consumption. I think most of the freezers in Massachusetts—I might say New England—are operated on an entirely different basis from ours. On Cape Cod, for instance, the freezers are owned and operated by merchandising companies. They have frozen on Cape Cod this year in the vicinity of 12,000,000 pounds of whiting. I think this is the largest amount of fish frozen in this section of the United States. Strange to relate, only less than 100,000 pounds of these fish will be sold and distributed in the New England section during this year. They are shipped entirely to the West and South. You can imagine, with our increased transportation difficulties, it has been some job to get these fish off the cape. I think at the present time perhaps three-fifths of them have been moved. It is very necessary to get these fish into the market during the consuming season, as it is to get all of our frozen fish disposed of during the consuming season. It is no advantage to carry fish over the 12 months' period, as we have the 12 months' cold-storage law in this State. I believe we should have a Federal cold-storage law covering this matter. On Cape Cod this whiting business has developed in a very few years. It is a kind of fish known very little of or eaten very little. The nature of it is soft. It is not shipped in the fresh state. However, I believe that whiting, being frozen early from the water, direct out of the traps on Cape Cod, are perhaps as fresh as any other variety that can be put upon the table of the consumer in this country. Yet through lack of education, perhaps, our own people do not eat it here in New England.

We have started a campaign recently, due to the effort of our local food administrator, in an attempt to bring this to the attention of our own people and educate them to eat it, principally because other varieties in the fresh-fish market have been so high that it was feared there was a class of people perhaps who were not able to get fish at times. We have visited some of our large industrial centers, some of us, and took whiting, and we have interested families, committees—committees on public safety—and so forth, to the extent that they have helped in advertising whiting, bringing it before the people; and during the last month a considerable increase in demand in New England has been noted from those centers, only illustrating that very little effort in the educational line will move these varieties. We have found also that people perhaps are more apt to complain



about high prices of fish. In sifting down their complaints we find that they have been in the habit of demanding a luxury variety of fish—halibut, salmon, sea bass, and so forth. In nearly every case—I will say 90 per cent of the cases—I have investigated for our food administrator it has been shown conclusively that the people are not educated in the use of or in the eating of the cheaper varieties. Pollock is not used very largely in this section; it is shipped largely to the South, to the Philadelphia market, to New York, and beyond. There is very little hake used here. People are not educated in these varieties. However, those people that do know of pollock sometimes won't eat it because they have a prejudice against it. They have heard something about it. I have an instance in mind I can cite of a local market during the season that pollock is very plentiful, putting on a special on a certain day and advertising pollock at very cheap prices. I think it was 4 or 5 cents a pound, possibly 6 cents. They were unable to sell any. The next day they tagged it up as Boston bluefish and charged 12 cents for it, and they cleaned it out almost immediately. Now, we have made an attempt through our local food administration to educate the people in the use of these cheaper varieties. We have had a great many criticisms—have had criticisms through some of our newspapers for our high prices. That again was due to lack of education. We are perfectly willing at all times to take the newspaper men under our wing, take them on the fish pier and give them a feed of the various varieties of fish and educate them.

Secretary REDFIELD (addressing newspaper men). You had better go, gentlemen.

Chief Justice HAZEN. We have been there and can recommend it.

Mr. POOLE. There is a great field for this line of work. I am myself particularly interested in it and have done a considerable amount of it, not only for our local food administrator, but for the United States Food Administration. However, I believe that we are going to solve the problem some time through the larger use of frozen fish. We were speaking this morning of the limited area over which we can transport fresh fish with safety and keep it fresh under ice. That is very true. In these times it is very trying in shipping carloads, perhaps, of fresh fish, or barrels or boxes of fresh fish in this section, even to nearby points. We are getting very serious delays. We are getting embargoes from time to time of necessity. We are even having our Fall River line, operating to New York, at times discontinued, which is a severe handicap to the fresh-fish question of Boston. We are having embargoes to Philadelphia, Baltimore, and Washington points, making it almost impossible at times to reach these sections with fresh fish. During these times it would take very little of an increased production and oversupply to make it very difficult to move in a given period the supply of fish that might arrive here in the summer months during our periods of plenty. Mackerel, for instance. Of course, during those times the men resort to the freezers. And it is well that they do. They put away through the producing season. I know this particular year it has been most fortunate that we have had the supply of frozen fish. We have had agitation in this State; we have had a great deal of adverse criticism from various sources. In one particular case—I think there were several—some of the newspapers advocated throwing open the doors of the cold-storage plants and dumping this

frozen fish out for the people. It is very apparent what would happen if we did that. It is very apparent what would happen if we attempted to move this tremendous quantity of fish during the producing season through fresh-fish channels. It would be impossible. If we were not fortified with this tremendous stock which we carry in the wintertime all varieties of fish foods would be in the luxury class. We have seen days—we have seen three days running this very winter when we have not had one arrival on the fish pier. During those times our dealers have resorted to their stocks of frozen fish. Now, I believe the time is coming, and I know Dr. Smith will tell you of the work Dr. Pennington is doing along those lines, advocating the more general use of this means of handling fish, and especially under the circumstances of the embargo handling frozen fish shipped in refrigerator cars. Frozen fish shipped in refrigerator cars will stand up at this season of the year for a great length of time; it can not be injured because it is packed in boxes and packed in refrigerator cars where the temperature is held at a very even point. It would be impossible to ship those fish and distribute them through these various centers throughout the United States—an unlimited area. Of course, that is being done largely on the Pacific coast with halibut and salmon. A great deal of that product comes from the East. I have been identified with the halibut industry for a great many years, having spent some eight years on the Pacific coast in that industry. During those years, in the early years of my experience, very little halibut was sold in the interior of the country. Chicago possibly would handle two cars a week, and at times with difficulty. To-day Chicago is a distributing center for a tremendous amount of halibut, being shipped in from Canadian points—Prince Rupert—and from points in our own country. They distribute that fish through the entire section of the Middle West. We have heard at times that it would be impossible to distribute this fish in the summer, even in cold-storage cars. I must confess I was of the opinion that it was not practicable.

However, this year has demonstrated that that can be done to a large extent, because of all this 5,000,000 pounds which has been shipped in here from Canadian points, 90 per cent of it came through during the very hot weather of this past summer. I believe the development of this business will produce a better refrigerator car than that which we have available for fish service to-day. I think it is a matter that we could well apply ourselves to in connection with your department. I believe we are not offered proper facilities at present for the movement of this product. I believe the frozen-fish business is going to grow, and I believe it is going to solve a great many of our problems in the distribution of fish. Boston is a large distributing center for both fresh and frozen fish of the various ground fish varieties; Cape Cod is a freezing point for whiting and mackerel. The State of Maine produces and freezes a large amount of herring. Boston produces a great deal of herring, but some years there is very little of it frozen. We have had some difficulty through State legislation restrictions which made it impossible for some fishermen to supply our vessels with a supply of bait. Those restrictions now have largely been removed through the efforts of the food administrator in this section, setting an example for our whole Atlantic coast section. Some of our States have restrictive

laws on their books which make it impossible to produce certain varieties of fish during the period of most plenty. However, that situation I am not familiar with. Under the circumstances of this present period it is necessary that we have the restrictions removed, and they have been removed. I don't know that I can add anything further, Mr. Secretary. I will be very glad to answer any questions.

Secretary REDFIELD. Mr. Poole, what would be the effect upon the market in its present condition of demand if the supply of fresh fish from Canada were cut off.

Mr. POOLE. At the present time, coming into the season you might expect shipments, our market would be shorthanded on some varieties. However, I find if fish are scarce with us on account of the elements they are scarce with our brothers across the line.

Secretary REDFIELD. Taking the statement that about 43,000,000 pounds of fish came into the United States from Canada on the Atlantic coast in the last year, I take it we can agree that that fish came in because it was needed?

Mr. POOLE. Yes.

Secretary REDFIELD. It did not come in for any other reason. Suppose that supply of 43,000,000 pounds a year were cut off. Would the effect be to enhance the price of fish in the American markets?

Mr. POOLE. I think our price is governed by the law of supply and demand; naturally if you shorten the supply or increase the demand the price will rise.

Secretary REDFIELD. Do you think that the consumption of fish in the United States is capable of a considerable expansion through education generally throughout the country?

Mr. POOLE. I do; yes, sir.

Secretary REDFIELD. Assume for the moment that such education takes place and that there is no material increase in the supply. What, then, in your judgment, would be the effect upon the price of fish?

Mr. POOLE. I think were we to increase our demand materially above our supply, naturally it would place most of our varieties in the luxury class.

Secretary REDFIELD. Then is it not the necessary conclusion from your experience and from what you have told the commission, that the process of increasing the consumption by education must go hand in hand with the process of increasing the supply?

Mr. POOLE. Yes.

Secretary REDFIELD. From all sources.

Mr. POOLE. The fish business is a peculiar one. It is very hard to regulate either. We can't put our finger on the man that wants to eat fish to-day; we don't know—he may want to eat it to-day, or he may not; he may want to save his appetite until a week from to-day. On the other hand, we can't put our finger on our supply at any one time. We here have million-pound days, we have days when we have less than 100,000. It is very uneven. It makes it very difficult at times to move the supply through our regular channels for those reasons.

Secretary REDFIELD. Is it not a fact that your reserve of fresh fish acts as a moderator of that very condition?



Mr. POOLE. It does after we educate the people against this prejudice also.

Secretary REDFIELD. Is there anything in the fish business, to your knowledge, Mr. Poole, which corresponds to the distributing equipment possessed by the meat packers?

Mr. POOLE. No; I can't say that we have an organization or the facilities for distributing fish, either fresh or frozen, that the meat packers have.

Secretary REDFIELD. It appears to be the fact—if I am not correct in this statement, I will be glad to be corrected—it appears to be the fact that when the packing and shipping of fresh fish became a great industry, or perhaps I would better say, in order that it might become a great industry, and at the time when it was sought to make it a great industry, the business was found to lack the equipment necessary for regular and safe transportation of a perishable product, and that out of that has grown the familiar refrigerator car which everybody sees in every freight yard and the depots throughout the country bearing the familiar names of the packers with which we are all familiar. Is it not singular that nothing corresponding to that system of distribution has taken place with fresh fish or frozen fish?

Mr. POOLE. We have one company, I think, operating in the United States on similar lines—the Booth Fisheries Co., with headquarters in Chicago, and they have some 50 branches throughout the United States. I think they have a line of refrigerator cars. I think their system more nearly equals that of the meat packers. They can do that practically, having these branches. Their facilities are correct for distribution because of these branches, and they operate in all sections of the United States.

Secretary REDFIELD. Has that, to your knowledge, resulted in an increase in the distribution of fresh fish by those methods?

Mr. POOLE. I think it has on fresh-water fish, not on salt.

Secretary REDFIELD. Do they make a specialty of fresh-water fish?

Mr. POOLE. They do.

Secretary REDFIELD. That has, then, so far as the nature of their product goes, resulted in an increase?

Mr. POOLE. Yes, sir.

Secretary REDFIELD. Are you sufficiently familiar with the general frozen-meat industry to be able to say or to express an opinion for the commission as to whether, in your judgment, the methods of distribution which we have mentioned have been a considerable factor in the distribution of fish throughout the country?

Mr. POOLE. Yes; I think they have. The product is very different to handle from fish. Fish are shipped under ice; beef shipments are chilled. There is not the element of danger in transportation.

Secretary REDFIELD. I think I understood you to say—or perhaps I inferred from what you said, Mr. Poole—that you thought it possible that a better car could be devised for the purpose of handling either fresh or frozen fish?

Mr. POOLE. Yes.

Secretary REDFIELD. Have any steps been taken toward devising any such car?

Mr. POOLE. I think Dr. Pennington has made some suggestion—I think Dr. Smith might answer that question.

Secretary REDFIELD. Dr. Smith?

Dr. SMITH. There have been experiments along that line, sir, but I am not sure they have been given practical effect yet.

Secretary REDFIELD. I would like to say here that if anybody connected with the fish interests in Boston desires assistance along the line of designing such a car we should be very glad to put at their disposal, without expense, skilled refrigerating engineers of the Bureau of Standards of our department to conduct any series of experiments, at Government cost, in order to work out the result that might be satisfactory. We are cooperating very closely, as I think Mr. Poole probably knows, with the American Society of Refrigerating Engineers. Nothing can give us more pleasure than undertaking to aid with our scientific staff in the design of an improved car, if that is thought necessary.

Mr. JOHN BURNS, Jr. If I may add just a word. As Mr. Poole has said, Dr. Pennington has made an exhaustive study of the refrigerator car. She is one of the best fishmen we have in this country. She certainly knows all about refrigerator cars. You can count them up to 140,000, and when you get to 141,000 she will tell you it is of a certain design and will carry stuff with certain efficiency.

Secretary REDFIELD. Where is Dr. Pennington?

Mr. BURNS. The last I heard she was in Pensacola.

Secretary REDFIELD. Mr. Poole, I want to change the subject, if I may, for a moment, and ask if you know of any restrictions which are imposed upon American cold-storage concerns operating in British Columbia or Canada; and if so, what?

Mr. POOLE. I don't know of any, and I take it from testimony given by Mr. Arnold yesterday that his company, at least, was allowed to operate—in fact, I know was operating in Canada and Vancouver, freezing and shipping fish.

Secretary REDFIELD. Is it not a fact that Mr. Arnold's companies, operating as you describe, are Canadian companies?

Mr. POOLE. He has one Canadian company—the Canadian Fishing Co., and he also has the New England Fish Co., an American company, both in Vancouver. I think that the American company is operating freezers.

Secretary REDFIELD. Have you, yourself, visited the Canadian cities of the West, on the Pacific coast?

Mr. POOLE. I have.

Secretary REDFIELD. In connection with the cold-storage business in any way?

Mr. POOLE. No.

Secretary REDFIELD. Are you familiar with the conditions under which the plants there operate?

Mr. POOLE. Somewhat.

Secretary REDFIELD. I ask these questions, Mr. Poole, to be quite candid, because the suggestion has been made to the commission—so far as we are able to find, made sincerely, but apparently in error—that there were some restrictions, some inequalities, imposed by Canadian law upon American concerns operating cold-storage plants in Canadian territory. I want to know very candidly if you know of any?

Mr. POOLE. I think that might apply, although I am not sufficiently informed, perhaps, to make a statement. I think that might apply to Prince Rupert.

Secretary REDFIELD. Yes; that is where it is said to apply. What do you know about it, Mr. Poole?

Mr. POOLE. I don't know that I am able to say much on that. I know very intimately people operating the cold-storage company at Prince Rupert, which is a Canadian concern. I understand they have a subsidy.

Secretary REDFIELD. Yes; it is subsidized.

Mr. POOLE. I know that the American boats, as was shown here yesterday, have been landing their fish, salting their fish, at Prince Rupert.

Secretary REDFIELD. Do you know whether there is an American cold-storage plant there?

Mr. POOLE. There is not, I believe. I don't know of any.

Secretary REDFIELD. I am very much obliged to you, Mr. Poole. Is Mr. Wheeler of the Booth Fisheries here?

A VOICE. I think he had to go away this afternoon, Mr. Secretary; I heard him say so this noon.

Secretary REDFIELD. Is there anybody representing the Booth Fisheries here this afternoon? [No response.] Is there anybody here who is connected in any way whatever with the Lake Fisheries, or who is interested in any firm representing the interests? [No response.] Is there any one here who represents the freezing plants upon Cape Cod—those connected with them in any way?

#### STATEMENT BY MR. IRVING M. ATWOOD, REPRESENTING THE CONSOLIDATED WEIR CO.

Secretary REDFIELD. What is the name of your business, Mr. Atwood?

Mr. ATWOOD. Connected with the Consolidated Weir Co.

Secretary REDFIELD. Where is the plant located, Mr. Atwood?

Mr. ATWOOD. Our plant is located at Provincetown, and fish at other places on the coast.

Secretary REDFIELD. And what class of product do you handle?

Mr. ATWOOD. Why, mostly the so-called seasonable fish, such as the herring or the mackerel and weakfish, and other kinds of what we call the seasonable fish.

Secretary REDFIELD. Do you include whiting in that?

Mr. ATWOOD. Whiting, yes.

Secretary REDFIELD. Where is the whiting sold?

Mr. ATWOOD. The largest market for whiting up to two years ago was through Pennsylvania and a part of New York State, and Maryland. About two years ago, as I remember it, whiting was sent farther West. Last winter, I understand, that whiting was sold in the western part of South Dakota. Then the market gradually has broadened.

Secretary REDFIELD. How long since that market started?

Mr. ATWOOD. We started freezing whiting somewhere about the year 1902, which was the first whiting, or practically the first whiting, that was frozen.



Secretary REDFIELD. Was there any market in America then, or did you have to make one?

Mr. Arwood. We had to develop our market, which we did in connection with certain commission houses in the city of Philadelphia. The whiting first started, as I understand it, through the sales agents through the mining districts of Pennsylvania, selling it to the foreign people there—the Lithuanians, the Polanders, etc.—it being a fish somewhat similar to those they had been used to. I saw some whiting in Scranton, Pa., in 1907. I can't say that they looked very appetizing after laying out on the stand with the coal dust all over them, but they were all right and retailing at that time, I think, at 5 cents per fish.

Secretary REDFIELD. That reminds me of a young fellow that used to get lunch with me in New York when I was a clerk at \$10 a week, who bought mackerel for 10 cents a fish.

Chief Justice HAZEN. What is the weight of a whiting?

Mr. Arwood. Our whiting this year average somewhere around 14 ounces, just under a pound, although we do catch a small portion of our whiting up to a pound and a half.

Secretary REDFIELD. And do I understand you to say that the business has steadily grown, Mr. Atwood?

Mr. Arwood. Yes; in the last two years it has grown very rapidly.

Secretary REDFIELD. Until now, I recall your saying that the market reaches as far as North Dakota.

Mr. Arwood. Yes. I don't remember just the city, but last November Dr. Pennington was telling me about a town, I think in the western part of South Dakota, that they had whiting last year.

Secretary REDFIELD. And how far South?

Mr. Arwood. I have known of whiting been sent to Denver and Norfolk. I don't know how much farther South and West than that.

Secretary REDFIELD. And that business has been created in 15 years in a product which up to that time was hardly used at all?

Mr. Arwood. Very little used, except in certain local fishing places. The total production of the Cape last year was estimated around 14,000,000 pounds.

Secretary REDFIELD. Now, do you regard it as probable that some similar intelligent effort applied to other fishes, given to standard fishes, would show a somewhat similar, though perhaps not as great a result?

Mr. Arwood. I think so; yes, sir.

Secretary REDFIELD. What I want to get at is, whether the thing we are talking about this morning is a reality or a dream. If over a continuous period intelligence and action is put upon the education of the people in fish foods generally, do you think it would show a marked increase in the demand?

Mr. Arwood. I don't believe any of us can realize what increase can be shown.

Secretary REDFIELD. Your judgment is, then, that you would hesitate, as an experienced man, to put a limit on the increase?

Mr. Arwood. I think I should; yes. I know we started in—take the situation of pollock, which is very small and has been little worked upon. I think anybody in the fish market in Boston has seen a marked increase in the use and demand for pollock in the last three years.

Secretary REDFIELD. How long ago is it, gentlemen, since the flounder was not a very generally sold article of food?

Mr. ATWOOD. I think somewhere around 8 or 10 years ago they started using the beam trawl for flounders down off the southern part of the Massachusetts coast in the so-called Vineyard Sound, and since that time they have developed, not so much in that territory, but in the markets of New York particularly, a very large demand, so that flounders to-day are bringing prices that a few years ago were unheard of or unthought of.

Secretary REDFIELD. Now, I would like, if I might, to just have you hear from Dr. Smith, as bearing upon what you have just said, Mr. Atwood. Up to the time of which Mr. Atwood speaks, there was no established fishery for flounders; it was neglected; and we are now planting over 1,000,000,000 a year, and I think I can say that the continuance of the industry depends upon that planting.

Dr. SMITH. In the inshore waters of Massachusetts.

Secretary REDFIELD. So far as the inshore waters are concerned.

Mr. ATWOOD. I might say, Mr. Secretary, that I think for a year or two prior to that the Italian fishermen commenced fishing for flounders for the Boston market with a fair degree of success, about 12 or 15 years ago the small boat fishermen going out with one or two men a few miles off shore.

Secretary REDFIELD. It would seem by putting these things together—I think it impresses the commission so; if not, they will say so—that wherever intelligent activity has been put upon any branch of the fisheries business, where brains and character and knowledge have gotten in behind it, even where it had been totally neglected, the result has been rapid and immediate—almost immediate—and large. Is that substantially true, Mr. Atwood?

Mr. ATWOOD. Yes, sir; I think it is.

Secretary REDFIELD. Do you regard that process as stopped?

Mr. ATWOOD. No. I have had in our own particular business, I might say—the wholesale business in Boston that I am also connected with—have used the mails a good deal with the retail trade, and we have really found surprising results as to what was possible by simply intelligent weekly advertising through the mails, once you began to push any particular variety of fish. I think it was two or three years ago we froze at Provincetown—I don't remember how many, but I should say around 30,000 or 40,000 of the tuna fish. Most of them were fish from 50 to 75 pounds each. And we started in through the winter, and inside of a comparatively short space of two months sold the whole of them through Massachusetts, New York State, some in New Hampshire and Vermont, to people I doubt ever used them before. As evidence of that, one man wrote back, after he had his first lot, "Why, they are red; I thought they were cream white, judging from the looks of the can from the Pacific coast." But we had sufficient repeat orders to show that that advertising was successful. I think it was a success in that case. And from our experience on a number of other varieties little used that we have tried, I don't think there is much doubt about the success of the proposition.

Secretary REDFIELD. Is that tuna fish the one that used to be described as the horse mackerel?

Mr. ATWOOD. They used to call it the horse mackerel.

Secretary REDFIELD. I can remember being carefully brought up to think it was carrion.

Dr. SMITH. Is it not a fact, Mr. Atwood, that 15 or 20 years ago, when these same horse mackerel were running in the traps of Cape Cod, those fish were always thrown away?

Mr. ATWOOD. Well, I wouldn't say just exactly the number of years—I think perhaps you have a better knowledge of that than I do; but there was a time when they were considered a nuisance and they were glad to get rid of them in any way. And to-day, this last year, and even the year before, the price that our fishermen have got for these same fish compares very favorably with most any fish we catch, simply by freezing them and establishing a market for them. Last year the first tuna fish that came into Boston, if I remember rightly, was sold at 15 cents a pound to a wholesale jobber in the city of Boston.

Dr. SMITH. You perhaps know that the flat rate for the smaller fish of the California coast, used in canning, is \$80 to \$100 per ton to the fishermen.

Chief Justice HAZEN. Mr. Atwood, have you had your attention directed to the manufacture of fish waste as a food for cattle and for poultry?

Mr. ATWOOD. No; I have not, directly. I have spent a very limited amount of time on the subject of fish waste, but with the engineering firms with which I have talked, and with the amount of waste which we have had at our Provincetown plant—I have not looked into this for over a year, but up to that time the engineers told me then they did not consider it a feasible plan, and so we waited until we could get a larger and more regular amount of waste to handle. You see, our fishing at Provincetown is very fluctuating. We will go for a week and perhaps have catches larger than we can handle, and then we may go for two weeks and not have any whatever. So that on that account I never went deeply into the question of the manufacture of fish waste for any purpose whatever.

Secretary REDFIELD. Is there any place along the Atlantic seaboard of the United States where the fish waste is so manufactured?

Mr. ATWOOD. Not that I know of. There are places where it is manufactured into fertilizer, but not for food for cattle or poultry.

Mr. GEORGE E. WILLEY. I think down in Maine they are doing it to some extent.

Secretary REDFIELD. Manufacturing it into fish meal, Mr. Willey?

Mr. WILLEY. Into fish meal; yes.

Chief Justice HAZEN. That is manufactured into cattle food and poultry food?

Mr. WILLEY. I think so. That has come in the last year or two.

Chief Justice HAZEN. I wonder if there is any gentleman in the room who can give us information on that subject.

Secretary REDFIELD. I can say that the Director of Markets of the State of California, Mr. Weinstock, has recently placed in the hands of the Commissioner of Fisheries a letter to him from a practical fish operator on the Pacific coast, who has for a considerable period—I should say, about the time Mr. Willey mentions—been making his fish offal and refuse into meal, which he has sold to



poultry farms with entire success. He sells all he can make. And the statement, as I recall it, in the letter was that the fish wastes of Alaska which could be thus utilized, now wasted, were worth at the market price of the meal to-day \$8,000,000 per annum.

**STATEMENT BY MR. W. A. REED, SECRETARY GLOUCESTER BOARD OF TRADE.**

Mr. REED. Mr. Secretary, I have experimented with clam meal merely for my own information.

Chief Justice HAZEN. What has been the result of your experiment?

Mr. REED. The matter was called to my attention while in Alaska, and merely for curiosity I secured about three or four buckets of the large clams and put them behind the little stove in the shack for about three or four weeks and let them dry naturally, and then I secured a little coffee roaster which we had in the house and ground and ground and ground, and every day when I didn't have anything else to do I would grind a bit. I put them in an ordinary Royal baking powder tin can without any preparation or without any adding anything to them, and I brought them on one trip with me, and brought them east with me. I kept that can under observation for a year and a half for the purpose of ascertaining if it would pick up moisture or decay, or whatever might happen, and approximately once in two or three weeks I would take a pinch of it and taste it. I forget what became of it finally, but it never spoiled, never deteriorated so far as I could see. It was excellent flavor, and I believe there is a great industry there waiting for somebody to come and take it.

Chief Justice HAZEN. Is that a soft-shell clam?

Mr. REED. No; harder than a brickbat.

Chief Justice HAZEN. Quahog?

Mr. REED. Quahog, rather. If I might add, Mr. Secretary—as I looked at the clam flats that are there—there is a virgin territory of thousands of square miles of clam flats, and I was invited to come up there and get a motorboat and get three or four of the Indians, and at low tide get a horse and plow and plow them up and let the Indians pick them up. And possibly the doctor may recall Mr. Charles Ingersoll, at Ketchikan.

Dr. SMITH. He was formerly in our service.

Mr. REED. He was the one that first suggested it to me before I tried the experiment.

**STATEMENT BY MR. A. L. PARKER, PRESIDENT OF THE BOSTON FISH PIER CO.**

Secretary REDFIELD. Mr. Parker, you have heard the statements kindly made by Mr. Atwood and by Mr. Poole. What is your viewpoint respecting the possibility of increasing the demand for fish in this country by the continuous and intelligent process of education?

Mr. PARKER. Well, my opinion is, Mr. Secretary, that we have one of the best plants down there in the world, our capacity is unlimited, and what we want is fish to sell. What little advertising we have

done, we have met with great success. The only reason we have not done more is that we have not had the stock to give them. We believe that we can take care and distribute all of the fish that will come to our dock.

Secretary REDFIELD. Do I gather correctly, Mr. Parker, from your thought that your plant, then, is not as yet fully used to its possible capacity?

Mr. PARKER. Nowhere near it.

Secretary REDFIELD. Then, coming back to my first question: Do you think an increased demand upon your facilities could be created by an intelligent process of education continued over a time throughout the country?

Mr. PARKER. Very much so.

Secretary REDFIELD. Do I infer correctly that that would involve on the water end an increase of the supply?

Mr. PARKER. Yes, sir.

Secretary REDFIELD. Do you think of any reason why we should not eat as much fish in this country as Great Britain eats per capita?

Mr. PARKER. Not a bit. If they all ate as much as I do they would come up to that quota.

Secretary REDFIELD. Think for a moment, Mr. Parker, because that would be wholly revolutionary. That would be wholly revolutionary in the business of this country.

Chief Justice HAZEN. A revolution sometimes has a good effect.

Secretary REDFIELD. There is no question it has a good effect. But it would mean so much to the port of Boston in particular, and incidentally to the sister port of Gloucester, that to say that it could be done in time in the process of evolution would mean that all that has ever been done in the fisheries of this country would be much less than half of what would then be normal. If we ate as much fish per capita as Great Britain does, we would be bringing our supply of fish food up from 2,000,000,000 pounds a year to something over 8,000,000,000 or 9,000,000,000 pounds a year. Yet, I understand, you feel that if that were intelligently gotten at it might in time be done.

Mr. PARKER. I think it would come gradually. Any campaign will come gradually. And if we can only get the stock to give them so that we can take care of that increased demand, why, we can take and distribute it.

Secretary REDFIELD. Now, then, that is just the point. Assuming the demand were just as intelligently created—and I gather from what you gentlemen have said, it may almost be said to be in process: at least, there have been very intelligent, and in each case successful stabs at it—now, given that, and be given the transportation facilities—which I think you, as practical business men would say, must follow and has followed in every case where the business has been developed—then what would remain is the question of an adequate supply; is it not?

Mr. PARKER. That has been our question. As you know, at the present time it is almost impossible to go out and get tonnage built, which we are trying to do to-day. We are doing everything possible, and we are building, as has been said before, and building at war prices. But that is our aim and belief—that the business has just begun to develop. One reason for that, when I have heard the questions that you have asked some of these men, is, why haven't these

things been done? I think one of the reasons why it has not been done before is that there have been 30 or 40 separate concerns in Boston, no one concern big enough to go out and do the things which you have suggested. But there has been a big change within the last year, there has been some consolidation, and in that way a bigger and better organization has been created to go out and cater to this trade, and I believe we have made a big stride in the business.

Secretary REDFIELD. Suppose we assume, for the sake of a question, that we only go half that far, and that we develop our people as fish consumers to half the extent that Great Britain has developed hers. We should then need, instead of 2,000,000,000 pounds a year that we now get, something like four and one-half billion pounds. Is there existing floating equipment anywhere on this side of the water in sight sufficient to supply that demand?

Mr. PARKER. I don't think there is.

Secretary REDFIELD. It would mean, would it not, a very large increase in the equipment of both countries—Canada and the United States—and a very large increase in the working force in order to meet that demand? Is it not so?

Mr. PARKER. I think that would be natural. I think with that increased production we would have to call on Dr. Smith to refurnish some of our grounds that we would fish from.

Dr. SMITH. I would like to ask Mr. Parker if he thinks the facilities of Boston, as to the fish pier and as to the general market conditions, are such as to properly handle the prospective catch of this trawling fleet of 29 vessels of which Mr. Burns spoke this morning?

Mr. PARKER. Why, I think our wharf there could handle 10 times the business that is being done there to-day.

Dr. SMITH. And you think you would be able to dispose of that greatly increased catch profitably through the usual channels in Boston?

Mr. PARKER. I think so, if it came gradually. It must come gradually. We could take care of that surplus as it arrived. If it should come all at once and throw a big surplus onto the market without proper foresight to know where you are going to put it, it might floor us. It is natural to suppose that this supply has got to come in gradually. I think we could take care of it.

Secretary REDFIELD. We are very much obliged to you, Mr. Parker. Thank you very much. Is Mr. O'Brien, president of the Boston Fish Market Corporation, here?

A VOICE. He went away last night. I would state, Mr. Secretary, that Mr. Fulham might speak for the Boston Fish Market Corporation.

#### STATEMENT BY MR. JOHN M. FULHAM, REPRESENTING THE BOSTON FISH MARKET CORPORATION.

Secretary REDFIELD. A vice president of the Boston Fish Market?

Mr. FULHAM. No, sir; just a director.

Secretary REDFIELD. Director of the Boston Fish Market? What is the nature of your business?

Mr. FULHAM. I am a director of the Boston Fish Market Corporation, but my business is the fish business.

Secretary REDFIELD. In what form?



Mr. FULHAM. I am a member of the Boston Fish Pier Co.

Secretary REDFIELD. Do you handle fresh fish?

Mr. FULHAM. Yes, sir.

Secretary REDFIELD. In what respect do your views differ from those expressed by Mr. Atwood and Mr. Parker and Mr. Poole?

Mr. FULHAM. My views are exactly similar to theirs.

Secretary REDFIELD. The fear has been expressed by a certain gentleman here, Mr. Fulham, and it is just mentioned to me by my colleague, Mr. Chief Justice Hazen, that if we obtained an increased demand for fresh fish on a considerable scale by the process of education, which we have been talking about, it would be possible for countries where shipbuilding may be less costly than it is in America to come in under the arrangement which we have been discussing and practically take the business from the American ships and so supply the demand by the aid of foreign vessels and foreign labor and foreign capital. Has that subject ever been given thought by you?

Mr. FULHAM. Why, I have thought of it in a way, not to any great degree, but since yesterday morning I have thought of it, and I also spoke of it on the pier, and I think that I am safe in saying that the sentiment of a large if not a majority of the fish dealers on the pier is that we are not only not afraid, but not even, as you said last night, suspicious of them. As a matter of fact, we welcome and are desirous of having all the fish brought into Boston that we can get. We are not afraid of the foreigners coming here and driving us out of business or competing with us in any way. That is to say, we are not afraid of competing with them, provided, of course, we are placed on an equal footing with them.

Secretary REDFIELD. It would have an important bearing upon that question, would it not—as to whether there were an excessive demand after the war for a continued period upon the product of the shipyards of Great Britain? Would it not be so?

Mr. FULHAM. Why, that is to say, if I understand your question correctly, they would be unable to build for awhile, having to attend to domestic work?

Secretary REDFIELD. Precisely. The effect of the submarine inquiry, to use a mild term, has been to destroy a very considerable proportion of the world's tonnage. It seems to be the accepted fact that the merchant tonnage of the world to-day is insufficient, far from sufficient, to meet the normal demands of the world in peace, and that therefore there must be a restoration of that tonnage in order to restore the normal balance of movement of freight around the world, of all kinds, and that in these losses, by the very nature of the case, arising from her supremely large merchant marine, Great Britain has been the largest individual sufferer. It seems to be the fact that she is now doing so much as in her power lies by the building of standardized ships to deal with that very serious problem. With that state of affairs, with that predicament, is it, in your opinion, mistaken to suppose that that task of building some 6,000,000 tons of merchant shipping or more—I think perhaps I understood it, Mr. Robertson, did I not?

Mr. ROBERTSON. Yes; you did.

Secretary REDFIELD. I understand it when I say 6,000,000 tons is a task which must have its effect upon her capacity to build trawlers or any other vessel of the kind; is it not so?

Mr. FULHAM. Why, it would seem to me, from what you have said, that they would be very busy at home.

Secretary REDFIELD. Very busy at home. Now, furthermore, it is, of course, the fact that the British fleet of trawlers has been at risk in this war.

Mr. FULHAM. Yes, sir.

Secretary REDFIELD. And a very considerable number of them have been destroyed, and that all of them substantially are at risk to-day. So that in addition to the problem which I have suggested to you there is the further problem before competition in the open markets of the world is possible—there is the further problem, I say, of restoring her own fish-food supply by restoring the fleet from which it comes. That would appear to be true, wouldn't it?

Mr. FULHAM. Yes, sir.

Secretary REDFIELD. And with that general statement in mind, do I understand correctly that you feel that under those circumstances, given an equal opportunity, you have no fear of their competition?

Mr. FULHAM. Absolutely none.

Secretary REDFIELD. I thank you very much.

Mr. FULHAM. I might add, Mr. Secretary, if you will allow me, that I was talking with Mr. O'Brien last evening, and he was sorry that he hadn't mentioned one fact, that in building the fish pier it was built with a view to a great extension of the fish business. So that I think we will be able with our facilities there to take care of almost any increased production that may occur in the next few years, anyway.

Mr. Atwood. There is one thing that must be of interest to you and Dr. Smith, although it is a very small point, in connection with introducing new varieties, etc. I am also interested in a concern that handles quite a considerable number of fish from various shore plants along the coast, and one dealer on the wharf came to me within a very short space of time and asked me to get for him 20 shark of 200 pounds each. I said: "Do you know what they are worth?" He said: "No; I haven't any idea." Well, I told him, "To-day, or yesterday, we had one shark that brought 8 cents a pound." That is what the fishermen get for it. I thought Mr. Smith might be interested to know that even a shark was selling pretty well now.

Secretary REDFIELD. We are very much interested in sharks. The shark has become a very respectable member of society.

Mr. BURNS. May I ask you to repeat what you said this forenoon in regard to the increase of the English Navy during the present war?

Secretary REDFIELD. Yes. The statement has been made within a very few weeks that the English Navy has doubled during the war.

Mr. BURNS. That done during the war time would lead us to believe that their capacity for turning out ships is very great, and that at the close of the war, diverting their whole capacity into merchant ships and new fishing vessels, would immediately turn out an enormous amount of tonnage. I can't figure it out into millions or billions. But as a matter of fact, I have it on very good information that at one period in normal times before the war a shipbuilding concern in England in 60 days turned out, launched, 55 trawlers.

Fifty-five trawlers in 60 days. If that is the case, diverting all their efforts into merchant vessels would give us an enormous amount of tonnage. Perhaps, to support that statement, which seems to be doubtful in the minds of some of my hearers, some of our large concerns in this country who have never entered into the shipbuilding business have stated to our Government that every three days they will turn out one of our destroyers.

Secretary REDFIELD. No, Mr. Burns.

Mr. BURNS. Am I wrong on the 120 again?

Secretary REDFIELD. I think, Mr. Burns, we will have to not be afraid of the 55 trawlers in 60 days.

Mr. BURNS. Well, I wish I had my friend, Mr. Rich, here. He made that statement, and I think he is a man who carries figures pretty readily.

Chief Justice HAZEN. How many days were they at work before they got to that stage?

Mr. BURNS. They undoubtedly had their material all ready. But that seems to me as not so erroneous.

Secretary REDFIELD. I am thoroughly familiar with some of the largest English shipyards. I don't think there is any yard in Great Britain that has even half that number of ways on which ships could be built at the same time. And while it is true that they build ships more readily than we do over there—

Mr. ROBERTSON. I can give you the figures of the last year, what we are building now. The absolute record of mercantile shipbuilding before the war—in fact, in 1913 we turned out just over 2,000,000 tons. Although that fell very heavily in the first and second years of the war. And they are now turning out in this fourth year of the war 2,500,000 tons of mercantile shipping. The actual naval-shipbuilding program, I doubt if there is anybody that knows; I certainly do not.

Secretary REDFIELD. Of course, that is the big yards. I might explain what Mr. Robertson says—I am not sure you could all hear. And I think Mr. Robertson could be said to speak somewhat officially on the subject for Great Britain. The largest annual output of tonnage before the war in all the yards, the merchant yards, of Great Britain was 2,000,000 tons; and at the present time, under very high pressure, the annual capacity is about 2,500,000 tons. At that rate it would take something over three years after the war to restore their marine where it was when war broke out, not counting any trawlers at all. Now, in addition to that, the great tonnage that has been added to their navy has been added in very large part, probably in major part—nobody knows—through the great dockyards of Great Britain, the great official navy yards in which the construction of destroyers and battleships and cruisers has always gone on at a much higher rate than we have ever done in this country. That does not apply, however, to the building of merchant ships. Furthermore, I think, while we are on that subject—I think Mr. Robertson will agree with me—the wage question in Great Britain has shown a very material advance, a very great advance. Probably as great an advance as in this country. And there is not quite as marked an outlook looking toward its reduction after the war as the gentlemen managing the great English shipyards wish there were. I used to be in a very modest way connected with a concern in Bel-



fast, Ireland, which was just across the street from the great shipyard of Holland & Wolff, the yard which built the *Olympic* and *Titanic*, and vessels of that kind. It is one of the largest yards, is it not?

Mr. ROBERTSON. Yes, indeed.

Secretary REDFIELD. One of the biggest yards in Great Britain. And I can assure you that they are in no position to build 25 trawlers at once, large as they are. It is the biggest yard in the Kingdom. So that I think there is no need to worry on that ground.

Mr. ATWOOD. If I might add a further word along similar lines—that is, taking up again the whiting and the industry on the cape—each year the number of cold-storage plants and fishing traps, and so forth, has increased. One would almost think increased faster than the demand, than the goods could be disposed of. But it really seems from our experience down there, with every new plant, that not only can they sell their entire product but everybody else does and then there is always some one lacking.

#### FURTHER STATEMENT BY MR. HENRY OTTE, MANAGER OF THE BAY STATE FISH CO.

Secretary REDFIELD. Can you add, Mr. Otte, anything to what Mr. Parker, and Mr. Poole, and Mr. Atwood, and Mr. Fulham have said on the possibilities of education?

Mr. OTTE. I think not, sir.

Secretary REDFIELD. Have you any reason to differ from them on their views on that matter?

Mr. OTTE. Why, generally speaking, no.

Secretary REDFIELD. And how, in particular?

Mr. OTTE. I would not particularize.

Secretary REDFIELD. I didn't know but what you were trying some camouflage upon the commission.

Mr. OTTE. Seeing as I was born in New York I will leave that part out.

#### FURTHER STATEMENT BY MR. W. A. REED, SECRETARY GLOUCESTER BOARD OF TRADE.

Mr. REED. Answering the inquiry of the chief justice in regard to the manufacture of hen food from waste, I am very glad to inform you that we have such a concern successfully conducting business at Gloucester. From the waste they manufacture glue, hen food, poultry food, and so forth.

Chief Justice HAZEN. Is the meal they manufacture there used for cattle food?

Mr. REED. I hardly think so. I have never seen their advertisement covering cattle food: they advertise quite largely for hen food. However, I will endeavor to find that out.

Secretary REDFIELD. Have you ever been to Prince Rupert, Mr. Reed?

Mr. REED. Yes, sir.

Secretary REDFIELD. Were you connected with the fisheries there at all?

Mr. REED. Not at all.

Secretary REDFIELD. Do you happen to know whether there is a cold-storage plant there or not?

Mr. REED. There was none there when I was there.

Secretary REDFIELD. How long ago were you there?

Mr. REED. 1908 was the last time I went through there.

Secretary REDFIELD. Are you familiar with conditions on the Fraser River?

Mr. REED. Only by hearsay.

Secretary REDFIELD. Not from personal knowledge?

Mr. REED. Not from personal knowledge.

Secretary REDFIELD. Did you know of any complaint on the part of the American fishermen on the Pacific coast as to the way in which they were treated in Prince Rupert?

Mr. REED. I have never heard any complaint.

Secretary REDFIELD. Did you ever hear any complaint as to the effect upon the American fishing fleet of the requirement of our customs officers in Ketchikan that they sail direct from Ketchikan to the fishing grounds?

Mr. REED. No, sir. I will endeavor to have you meet the gentleman I spoke of to-morrow.

Secretary REDFIELD. I will be very glad indeed if Mr. Reed can be present at the meeting. Now, gentlemen, as they say in the prayer meetings, the meeting is in your hands. We do not wish to close our hearings in Boston at this time without everybody having had a free chance to be heard. We appreciate your courtesy in coming. We appreciate the very thoughtful way in which your statements have been made; they have been more than helpful. But now I want to say that if any of you have anything he would like to say, let it now be said.

#### STATEMENT BY MR. GEORGE E. WILLEY, PRESIDENT BOSTON FISH MARKET ASSOCIATION.

Mr. WILLEY. For the past two days I have been very much interested in the remarks from the various branches of the industry, not only from our own city, but representing the neighboring towns and cities, and the principal topic has been on fresh and frozen fish. I think very little has been said about the salt or canned fish. And while interested to a more or less extent in the fresh and frozen fish, the larger part of my interests are in the salt and canned fish. It has been the prevailing opinion up to a few years ago—that is for perhaps, we might say, 8 or 10 years past—that the salt-fish industry was sort of dying out, and in its place the fresh and frozen part of the industry was coming up, which I think to a more or less extent was true for a period.

But with the improved facilities for handling fresh and frozen fish, more especially frozen, which, by the way, I believe is one of the most logical ways to distribute fish in the best condition to the large portion of the consuming trade—still there is a large section of the country, and in the remote or outstanding sections, where it probably can not be done for a number of years anyway successfully, and these sections no doubt use large quantities of the fish salted or canned. And I think the figures will bear me out that instead of waning the salt and canned fish industry is gaining and has started again, in the last two or three years especially. While we talk here of handling in a season, as some have said, or in certain times, 10,000,000, 12,000,000, or 13,000,000 pounds of fresh frozen fish their sales as a whole in salt

and canned fish are very much heavier at the individual periods than of fresh or frozen fish. For instance within a very short time I know of one single sale of salt fish of 6,000,000 pounds that was made. Of course, that is quite a large, and I guess probably one of the largest, salt fish sales. And in connection with this increased supply, which I personally believe we should all welcome, we must bear in mind that irrespective of what my brethren say from the pier, I do not believe we are prepared to handle in any such quantities as has been outlined might be made possible. In fact, there are a number of times occur, when the fishing season is on, especially, say, this past year, when, if it were not for the fact that the salt fish men came in and handled large quantities of these products—referring especially to herring and mackerel, that the freezers were unable to take care of here, and even ship them from here down to Maine—anywhere they could get them in and put them in properly—that there would have been nothing left for those fish except to either dump them or send them to the glue factories. In fact, I think even so that some fish had to go to the glue factories. I have known, within a few years, of mackerel coming in in such large quantities that the freezers and the salt people couldn't handle them all, and they were sent to the glue factories. Now, I believe there is room for all the fish we possibly can bring in here eventually, but not until we are better prepared to handle them and on a more scientific and concerted scale than we are at present. And I believe, as was said in the opening of your hearing, that while no doubt there are certain classes and certain parts of this industry at the present time which would be more or less affected—or perhaps I might say that they think they would be more or less affected—I believe if they should look ahead and go on to the broad scope, as outlined by your committee and yourself at the opening of this hearing, they would find that their fears are groundless. And in that respect I—speaking, as I think, gentlemen, for a large portion of the trade altogether in the various lines; not in any particular one branch—I believe the people of New England would welcome any such plan as outlined when you started the hearing.

Secretary REDFIELD. I thank you, Mr. Willey. It will be a pleasure to the conference to receive at any time during the next two or three months, and at the convenience of anyone who may wish to communicate with it, any supplementary written statement or brief, or information in any form that it may be the pleasure of yourself or anyone with whom you may come into communication to forward to us. Any such statement might be addressed to the Secretary of Commerce at Washington and would receive careful attention and be considered carefully by the conference in making its final findings. In order to make it perfectly clear to you that there is no haste of any kind intended, it is probable that the conference will go in the spring, at a time not yet even discussed, to the Pacific coast and to British Columbia, and it would not make up its findings or conclusions until after that trip had been taken and the time had been sufficient to discuss very candidly and fully the information now being obtained and which is to be obtained. So that there will be ample time to consider any facts that anyone may desire to lay before the conference.

Mr. SWEET. I would like to have Mr. Parker clear up one matter. I think you made a little intimation or suggestion that the supply



of fish might be exhausted if the market were very widely extended by educational propaganda. Did you not?

Mr. PARKER. Yes, sir.

Mr. SWEET. Just explain what you mean.

Mr. PARKER. Well, if you had this very big increase, as was talked about, possibly they might catch up the fish—they would not be as plenty as they are now.

Mr. SWEET. Have you reference to any particular kinds of fish?

Mr. PARKER. Why, the common kinds that they are catching now, such as cod, haddock, hake, pollock, and so forth. I thought if that might happen in time we would have to put back into the sea some that we took out—that is, spawn.

Dr. SMITH. Is it a fact, Mr. Parker, as I have heard intimated since I came to Boston, that there have been more ground fish on the banks off the Massachusetts coast this year than for many years?

Mr. PARKER. Why, I think there have off farther, but right on what we call our shore grounds for a year or two there they were very short, and the boys got very small catches, but by not fishing them they seem to come back again. And then last year they fished there more and got better catches. I had reference more than anything else to the steamers. The steamers a few years ago were getting very large catches on Georges, and then there was a time when they didn't get as good catches. Now they get on again this year and seem to have found the fish more plentiful.

Dr. SMITH. Speaking of the shore fishes, I would like to ask Mr. Atwood, who has had considerable experience around Cape Cod, where the trap fishing is more extensive than anywhere else on the Massachusetts coast, whether he has observed any general or special decrease in the fishes that are caught in those weirs.

Mr. Atwood. My belief on the question of our shore fishes, as I stated at the beginning—we catch what we call seasonable varieties, and certain varieties have shown a decrease and other varieties have shown some increase. It seems to vary and it is pretty hard to tell accurately whether, taking the situation as a whole, there has been any decrease or any increase. This last year there were plenty of mackerel in the bay. Last year and the year before we caught fairly large quantities of tuna fish—larger than we have caught for a number of years previous. Whiting seems to be plentiful at all times, although this year, as I recall it, as it is told me, they usually have a fairly good fall on whiting, but this fall the whiting was very light. Three or four years ago we had a very heavy run of herring in September; since then the run has been much smaller. They have gone in April and May. In some years we will have large runs of herring and other years we have not. The weak fish and the blue fish both seem to have practically disappeared from our coast. I don't think that that has been due to the fact that they have been caught up at all; I think they are migratory and have taken other channels due to the feed or something which has led them somewhere else. I don't know whether that answers your question at all, Dr. Smith.

Dr. SMITH. It gives just the information I desired.

Mr. SWEET. The creation of a market for new kinds of fish, the fish that have not heretofore been considered edible, would in a

measure make provision, would it not, under a wider market, for a greater demand?

Mr. ATWOOD. It certainly would.

Mr. SWEET. That would play, you think, quite an important part in supplying a larger demand, if you had this educational propaganda that would greatly increase the demand?

Mr. ATWOOD. Yes; I surely do. The demand has got to go along more or less hand in hand with the supply, as Mr. Willey has said. We have at times had lots of fish in Boston, and if there was not the demand for them we could not dispose of them. I think we could handle with our present equipment in Boston larger quantities on certain specific days than we are showing on account of not having the demand for it. Unfortunately, so far we have not been able to regulate a steady, constant, even supply. We get heavy days and light days, and sometimes the days are heavier than any cold-storage plant or the fresh fish demand can possibly take care of. Yet, again, if that same supply could be distributed over a little longer period, or if the entire product was such that it could be held, then we could of course take care of it to a larger degree and perhaps take care of all of it.

Mr. BURNS. I would just like to have a word relative to the possible surplus. During the past year we have disposed through our company of about 3,500,000 pounds of oversupply at a very low price, considering that we are working to get high prices, so-called, and have sold also to a canning concern during the same year possibly 4,000,000 pounds. To-day, under the existing conditions on the pier, in the dead of winter, with the so-called great scarcity of foods in this country, there are probably in excess of 200,000 pounds of fresh haddock on the pier to-day that can not be marketed at 6½ cents a pound. That is in the face of the conditions that we have had within a week, or I would say within two weeks, of a 10-cent and 12-cent market, and those fish to-day are in the packing houses and can not be moved at 6½ cents per pound.

Now, while that does not perhaps mean a great deal, there is a bare possibility that without proper care we can overstep. Overproduction is not an unusual thing in any line. While to-day it seems as if you can handle the whole surplus product and make a good sale of several hundred cars, and so forth, the thing possibly can get stuck. Fish is a very peculiar thing, and as I told you a short time ago, New England is our chief outlet for the salt-water fish. We can with care go beyond New England, and, as Mr. Willey says, the frozen fish is the solution of the question. But in the summertime, or in the open season, we will say, for fishing through the lakes and rivers and the southern clime, they produce their own local fish and they are well taken care of. Up to a short time ago it was a peculiar thing that you should send any fish to the locality of our southern waters and to the Mississippi Valley. And it is barely possible when we return to normal times that they will be taken care of in their own local waters. But we must be careful. We must protect the investment on our own producing end to a great extent and not overstep. I would rather handle two pounds of fish than one, because it is sold at so much per pound profit; nevertheless, with the building that is going on at the present time, with the difficulties of war, the possibility of bringing foreign bot-

toms in here, we certainly will have overproduction, work as hard as you have a mind to.

Secretary REDFIELD. I would like to put upon the record at this moment a memorandum which Mr. Robertson has handed to me: That in estimating what the British shipyards have to do after the war, it must be remembered that they have not only to build new tonnage but to reconvert to mercantile uses merchant ships that are now being used as naval cruisers, transports, auxiliaries, etc. This is a very large percentage of the ordinary peace tonnage of Great Britain, and means in addition to the other matters of which we have spoken that the British yards will be kept very busy for a long time restoring the former condition.

Mr. REED. Mr. Secretary, may I ask through you, or some of the gentlemen who are familiar with the fresh fish and freezing industry—entirely without comment on my part, but having heard it discussed several times—whether or not it is feasible, in view of the fact that frozen fish are best handled—whether it is feasible to have floating refrigerators, floating refrigerator ships, which could be sent out to the fishing grounds at the time that they were catching and put the fish directly into the freezers there at the time they were landed, or to materially assist in handling in any way? Would it be feasible to construct such ships and operate them in any way from any standpoint?

Mr. POOLE. I think there have been several experiments along those lines. It is feasible on some varieties. However, on the varieties—perhaps exclusive of the herring on our shores, I don't believe it would be feasible. It certainly would not be possible to send refrigerator ships to the fishing grounds to buck the elements; as lots of the craft do to-day. Your expense, to begin with, would be prohibitive, and your element of risk would be great. I don't believe it is here thought it would be feasible. It has been tried on the Pacific, and tried with some success, in towing refrigerator ships. I know of one in particular that goes to Alaska each year, buying halibut and salmon from the native fishermen. In that case they can anchor in the bays adjacent to the fishing grounds, and secure some seasons a full catch, depending more or less on conditions governing those grounds; and can also be moved from one point to another. That might apply to halibut and salmon because the grounds are adjacent to the inshores, to the bays—the salmon particularly.

Secretary REDFIELD. Do I infer correctly, Mr. Poole, that you feel that the refrigerator ship here employed is of such a character that she can not stand the rough buffeting that a vessel has to endure in the North Atlantic?

Mr. POOLE. Such a ship could be built, but it would be very costly and very bulky. The refrigerating equipment, machinery, etc., takes up a large amount of space. You understand the process of freezing. The modern process of freezing mackerel or ground fish is in pans, those pans holding about 30 pounds each. Those fish are carefully placed in the pan, the pans are placed upon coils in freezers where the temperature is at zero and under—preferably under.

After they are frozen sufficiently they are taken off those coils in the pans and grazed—dipped, as we call it—dipped in water.



In doing that we loosen the fish from the pan so that we are able to remove it in its shape—the shape of the pan. That water, or that glazing, hermetically seals that against the drying-up process of the air, which might occur. Those fish then are placed in boxes, and again they are sealed against the action of the air. Frozen fish will dry up continually if exposed to the air. On a refrigerating ship you can imagine, to carry the equipment necessary to handle any quantity of fish, it would make it almost prohibitive. You would have to carry your pans and have your freezing arrangements and storage facilities.

Secretary REDFIELD. I think Mr. Reed's suggestion hardly went as far as that more perfect process. I think your thought was to chill, merely, wasn't it?

Mr. REED. Information in any respect.

Secretary REDFIELD. We have built up rather an interesting experiment in refrigeration ourselves, Mr. Poole. We have just completed and put into service a vessel that was fitted up for use in research work in the West Aleutian Islands where there are no seaports. A vessel of about a thousand tons. That carries a crew of 69 men and is so equipped that she carries fuel and food, fresh meat, and vegetables, for five months' supply for the entire crew of 69 men, as well as her fuel, and makes no port, going out in May, June, July, August, and September, and coming back in October, replenishing neither food nor fuel during that period. She has rather an interesting refrigerating equipment, comprising two sections—one where the beef and fish is frozen, running down to zero, as you have just said, and maintained at that; and the other a cooling department in which vegetables are kept at a temperature, as I recall it, of about 35, or something of that kind. So far as I know, it is a unique ship.

Mr. POOLE. May I ask if those things go aboard the vessel in the frozen state?

Secretary REDFIELD. No; frozen on board. The vessel has just been sent over to the Mediterranean. We are interested to see the results of that climate. That, so far as I know, is a unique ship.

Mr. POOLE. We loaded one ship here in Boston—an Australian beef carrier—for the troops abroad with 3,000,000 pounds on one ship.

Secretary REDFIELD. You froze the fish and placed them on board frozen?

Mr. POOLE. Yes. I asked the man in charge of that shipment how he was going to handle them on the other side, and he said they were well equipped to handle them. But he in turn asked me if I knew how long those fish would last after they got on the other side. I said I didn't know that I could guess very closely. And he said if they sent them up the line they would last three meals.

Mr. FULHAM. If I am not out of order I thought I would like to say, in the matter of overproduction, for your information I would state that while I haven't any facts or figures with me, I do not recall any time, particularly within the last six months, that our company has been stuck, so to speak, with fish; and there have been many and many days when we were unable to get enough to fill our orders, even at a very high price.

**CLOSING STATEMENT BY CHIEF JUSTICE HAZEN.**

Chief Justice HAZEN. Mr. Secretary, before the meeting adjourns I want very briefly, on behalf of the Canadian section of the conference, to express our appreciation of the treatment that we have received during our stay in the city of Boston at the hands of the gentlemen who are more particularly interested in the fishing trade of this city. We were received in a most cordial manner: we have been treated with the greatest hospitality, and we have had the advantage of listening here to statements made by gentlemen familiar with the industry which we are discussing, all of which statements have been made in the fairest possible spirit and with a desire, I think, to afford us correct information, so that we may be able better than we otherwise would to come to a conclusion regarding the questions that have been submitted to us for our consideration and for our report. Many questions have arisen that are somewhat outside the main question which we are considering here, and all of which have an important bearing upon the fisheries of the country, and information has been afforded to us that will prove of inestimable value, not only in connection with our present duties but in connection with any future duties that we may have in regard to the fishery service in our own country. Some matters have been referred to which will form to some extent the basis of inquiry from the fishermen of the maritime provinces, who we expect to meet in St. John, New Brunswick, on Tuesday next, and on the following days, and I know we will take every opportunity to probe to the bottom certain statements which have been made here to ascertain what the facts are in cases where gentlemen at this meeting were not prepared to furnish us with absolutely accurate statements regarding them.

It will be a long time—speaking for myself personally, and I think in that regard I may speak the sentiments of my colleagues as well—it will be a very long time before we will forget our visit to the city of Boston, the interesting two days we have spent here in conference with the men who represent the fishing interests of the city and of the State, and the very kind and hospitable treatment we have received. And I trust that the very kindly and good relations that have marked every phase of the present meeting may simply be typical of the good relations which are going to exist between Canada and the United States in future years. [Applause.] I was going to say—my friend, Mr. Found, has reminded me—that we will be more than delighted if it is possible for any of you to come to St. John and be present at the meetings there, and to ask any questions of the gentlemen who appear before us for the purpose of giving us information.

**CLOSING STATEMENT BY HON. WILLIAM C. REDFIELD.**

Secretary REDFIELD. I should like to add to the invitation kindly given by his honor, the Chief Justice of New Brunswick, by extending, in behalf of the conference, an invitation to any representative of any Boston interest, or of any Gloucester interest—and I shall be glad if the papers will take note of the matter—to send a representative to St. John or to any other hearing of the conference and to take part in the hearings by asking questions or seeking any further

light that may be desired. We want to put the thing on the broadest possible plane, we want to have it treated with the largest possible volume of light and with the least possible volume of heat.

We desire also to place upon the record our obligation to the press of the city of Boston for their courtesy and for the very intelligent and thoughtful way in which they have reported the proceedings of the conference. We should do injustice to our own feelings if we did not express our sense of gratitude to the Boston Chamber of Commerce for its kindness to you and to us in permitting us to occupy this room, and for the hospitality extended to us personally, which we can not hope wholly to repay. In kind let me say that we are very deeply indebted to you—to many of you. This hearing in its spirit, and this conference in its form and spirit, let us hope, represent a departure from the somewhat devious ways of diplomacy as she is done, or as she was done in the past. Here we are, two peoples, to whom the great things are the same. I am fond of the Frenchman; I recognize our debt to him in our time of trouble; I recognize that to France we have a great obligation in literature, art, and inspiration in many ways; but after all, gentlemen, after all, it is only the inhabitants of the British Empire to whom the great phrases mean the same things they mean to you and me. The word "home" is not found outside of the English language, and wherever it is spoken in English it means the same thing, and it does not mean the same thing anywhere else. There is an enormous difference between "my home" and "chez moi." The whole conception of home is one which is common to the Englishman, to the Canadian, to the Australian, and to the American, and to nobody else. So is the conception of wife, so is the conception of womanhood, and all that those things mean. And Magna Charta was our fight, and Oliver Cromwell was a good American, and we are all subjects of King Shakespeare; and those are the big things after all. The hearing is now adjourned to convene in Gloucester to-morrow morning at 10.30.

Mr. GEORGE E. WILLEY. I would like to answer for the Boston fish trade. Perhaps, as I stated last evening, while there might be a division of opinion on the subject, there was none whatever on the matter of hospitality. If it has been a pleasure to you to receive this hospitality, I can assure you it has been doubly a pleasure to us to give that hospitality; and the pleasure of having met you, gentlemen, and the information and good it has done us has more than repaid us.

Secretary REDFIELD. Thank you very much.

Chief Justice HAZEN. Thank you.

(The hearing was adjourned at 4.40 p. m.)





## HEARING AT GLOUCESTER, MASS.

GLOUCESTER, *February 2, 1918.*

The Gloucester hearing of the American-Canadian Fisheries Conference was held in the rooms of the Master Mariners Club, beginning at 10.30 o'clock a. m.

The same representatives of the United States and Canada on the conference were present as at the Boston hearings.

HON. WILLIAM C. REDFIELD, Secretary of Commerce, presided.

Among those in attendance at this hearing, in addition to the members of the American and Canadian delegations to the conference, were the following:

Hon. W. W. Lufkin, Member of Congress.

Hon. Charles D. Brown, State senator of Massachusetts.

Orlando Merchant, William H. Jordan & Co.

Capt. James H. Stapleton, secretary Master Mariners' Association.

Edward P. Ring, port warden.

Capt. Carl C. Young, vessel owner.

Fred L. Davis, vessel owner and president Gloucester Board of Trade.

Thomas J. Carroll, general manager Gorton-Pew Fisheries Co.

Benjamin A. Smith, vessel manager Gorton-Pew Fisheries Co.

E. Archer Bradley, general manager Sylvanius Smith & Co.

J. Manuel Marshall, vessel owner.

Samuel G. Poole, treasurer American Halibut Co.

Charles F. Wonson, manufacturer of salt fish.

Judge S. D. York, presiding justice of the district court.

Henry D. Pinkham, president Henry D. Pinkham Co., manufacturers of salt fish.

Ralph J. Irving, local manager D. H. Lane Co., of Chicago.

John B. Freeman, Gorton-Pew Fisheries Co.

John A. Johnson, director board of trade.

Wilmot A. Reed, secretary board of trade.

Percy W. Wheeler, boat builder.

Capt. Peter Grant, fishing captain.

Alexander J. Chisholm, vessel owner.

E. K. Burnham, of E. K. Burnham Co.

John F. Perkins, director board of trade.

P. C. Parkhurst, president Parkhurst Fisheries Co.

Frank C. Pearce, Gorton-Pew Fisheries Co.

Henry F. Brown, Gorton-Pew Fisheries Co., also local representative

United States Department of Fisheries.

Harry R. Christophuson, master rigger.

James E. Lenhart, sales manager Gorton-Pew Fisheries Co.

Anthony Cooney, managing owner cold-storage plant.

Augustus Hubbard, alderman (city).

Maurice F. Foley, customs inspector.

Prof. Frederic Slocum, of United States Shipping Board Free Navigation School.

Antonie E. Silva, city alderman.

Alexander Chisholm, manager John Chisholm Co.

Capt. Fred Thompson, vessel captain.

Capt. John Mathieson, vessel captain.

Capt. Thomas S. Nickerson, Bucksport, Me., former captain, now owner.

Capt. George J. Tarr, treasurer George J. Tarr Co., fish oils.

Henry E. Pinkham, Henry E. Pinkham Co., manufacturers of salt fish.

Joseph McPhee, Russia Cement Co., glue, hen food, etc.

Arthur C. Davis, treasurer Frank E. Davis Co., largest mail-order fish distributors.

Frank E. Davis, president Frank E. Davis Co.

Fred A. Morris, Davis Bros., salt fish manufacturers.

Daniel S. Tarr, George J. Tarr Co., fish oils.

Albert S. McKenzie, deputy collector of the port.

James E. Tolman, representative in State legislature.

Fishing vessel captains:

Capt. George H. Peoples.

Capt. Frank L. Hall.

Capt. George E. Higgins.

Capt. Elroy Prior.

Capt. George Hamor.

Capt. John Barrett.

Capt. William Nelson.

Capt. James Mason.

Capt. David Gillis.

### OPENING STATEMENT BY HON. WILLIAM C. REDFIELD.

Secretary REDFIELD. The meeting will please come to order. It is not the purpose of the conference, gentlemen, to detain you with addresses. We are here not to have you hear us, but to have the privilege of hearing you; and we are here to learn, not for the purpose of even attempting to instruct so expert an audience as this.

At the very beginning I wish to express my regret that one of the Canadian commissioners, Mr. George J. Desbarats, the deputy secretary of the department of marine affairs of Canada, is prevented by illness from being with us. The experience we have had of his counsel thus far makes it a source of very genuine regret that he is thus temporarily kept away from the conference through so unpleasant a cause.

The circumstances under which we meet are perhaps such that they should be laid before you as a background for the discussion which is to follow. As regards the two countries here represented, they are now fighting side by side against a common foe. If the cause for which Canada is giving her sons, and for which we are giving or about to give our own, shall fail, Gloucester and Boston, and all Americans as well as Canadian ports, will do business according to rules laid down in Germany. I need hardly remind you that it is a sober fact that the German Government almost a year ago this very time notified us that we might send one ship a week, painted in a certain way which they prescribed, into a certain port which they mentioned; something, I think, that never theretofore happened to this great country of ours, and something which, I trust, no nation will ever have the temerity to suggest again.

But I remind you also, gentlemen, that we must not as American citizens carry on this discussion of to-day as if things were as they have been in the past. Within a very few weeks a German publication has distinctly avowed it as the policy of Germany to dominate the seas, saying that by "freedom of the seas" they mean German domination of the seas; and the issue is, whether you and I and our brethren in Canada shall be free to pursue so much of our livelihood as depends upon the sea as we desire. That question is asked you now and is being fought out in the first line of trenches upon the other side.

There is a power in the world which means that we shall not be free if they can prevent it. That is one of the conditions under



which we have met. The other is a condition of a world-wide shortage of food. In every one of the great nations of the world the food supply is relatively scant. There is not sufficient, as there has been in the past, to go around. Great Britain, which has been the largest consumer of fish food in the world—her annual consumption being more than three times our own per capita, or about 59 pounds per person per annum as compared with 18 pounds in this country—has found her supply cut more than in half, and her fishing fleet largely devoted to purposes of war and very largely suffering from the disastrous incidents of war. As I had the pleasure of saying in Boston, there is no finer record in the world than that of the fishermen of Great Britain who, through these fearful years on the North Sea, have been upholding the right to carry on their occupation where they will, the same right precisely for which we are fighting alongside of our brethren in Canada at this time.

I invite you to consider, among other things, the fact whether it is not possible in this country to greatly increase, under these conditions, the demand for fish food, for the sale of which this is so great a center. I point out to you that we consume about two billion pounds of fish annually, with a population of 100,000,000; that Great Britain consumes, with a population of 45,000,000, over four billion pounds annually, or something more than double, with less than half the population. I point out to you that Canada, with her population of one-tenth of ours, consumes nearly double the amount of fish per person that we do. Among all the great nations of the world our Nation is the one which consumes the smallest amount of fish per capita, or 18 pounds as compared with 29 pounds in Canada and 58 or 59 pounds in Great Britain.

This question suggests itself for consideration. If efforts were made to greatly increase this food supply, and if our fish consumption per capita were doubled, it would still be but about half of the fish consumption of Great Britain, and we should have to find somewhere about 2,000,000,000 more pounds of fish per annum to meet the demand. Great Britain is at the moment considering the possibility of multiplying her fish consumption by four after the war. If that effort is successful, you can readily imagine what the result will be upon the fishing industry of the world. Those are large factors in the problem, which are bound to form in a measure the background for our thought.

We have not come here, however, to press any viewpoint, to lay down any fixed practice or principle, but merely to learn what we may as to how it may be possible to stop for good and all the friction which has existed for many years past between two nations which now in one common cause are giving their sons and their dollars on the same field of strife. We surely ought not to stay apart on the question of food if we are willing that our children should die side by side, as they are doing on the fields yonder.

Therefore, in making a tentative suggestion to you for the purpose of clear thought, let me also make it perfectly clear that this is not a fixed thing, but is subject to change. We are here to learn. Furthermore, our discussions will range into every phase of the mutual fisheries concerns of the two countries. We are not limited, nor are you limited. Whatever information you may have now or later, or

whatever facts you can give on any phase of the fisheries industry, we are anxious to get. To make the matter perfectly clear, if any of you feel that you are not for any cause able to present as fully as you wish to do the facts you have at your command, if you will be good enough to address them to me at any time within the next two or three months at Washington. I assure you that they will receive the very earnest thought and care of the commission.

Mr. FREDERICK L. DAVIS (president of the Gloucester Board of Trade). Mr. Chairman, I would suggest, as those here to-day were not present at the Boston hearing, that the articles be read over at this time, the points that were then suggested for discussion.

Secretary REDFIELD. Notice was sent on the 24th of January to the New England fish industry that the following subjects were before the conference and would be made, among others, the subject of study and consideration:

1. The proposed extension of the Canadian *modus vivendi* licenses to American fishing vessels, by whatever means they may be propelled, and the reduction of the annual fee from \$1.50 per registered ton to the nominal sum of \$1 per vessel, and that the renewal of the licenses from year to year be not conditional on an Order in Council of the Government of Canada, but form part of the arrangement itself.

2. That United States fishing vessels be allowed to sell their fish in Canadian ports for Canadian markets, subject to customs duty, as well as to sell in bond.

3. That Canadian fishing vessels be allowed to purchase bait and all other supplies and outfits in United States ports on equal terms with American fishing vessels.

4. That Canadian fishing vessels be allowed to take their catches direct to United States ports and sell them there, subject to customs duties, if any.

5. That the fishing vessels of either country visiting ports in the other be given clearances for the fishing grounds if so desired.

6. That the United States prevent American lobster well smacks from fishing off the Canadian coasts during the closed season, for lobster fishing on such coasts.

Perhaps it would be well to say in further definition that the privilege granted in the Canadian ports would, of course, include the privilege to all American fishing vessels, however propelled, of purchasing in those ports whatever supplies, equipment, or articles of that character they might need.

Mr. Chief Justice, do you desire to say anything?

#### STATEMENT BY CHIEF JUSTICE HAZEN.

Chief Justice HAZEN. I did not come here with the intention of saying anything at this stage, Mr. Secretary. Like yourself, I came here for the purpose of getting information. The sitting of this joint commission, hearing statements and evidence in the United States, as the same commission will hear evidence and statements from parties interested in Canada in the course of the next few days, is a new step forward in the direction of open diplomacy. I think it is typical of the close relations and the good feeling now existing between the people of the two countries. It is, as was said in Boston the other night, perhaps the most striking example of open

diplomacy that has so far occurred between nations that do not live under the same flag. At the present moment, when the relations of our countries are so close and intimate, when our sons on both sides of the line are fighting in the same cause, for the preservation of the same democratic institutions, for the sanctity of treaty rights and for the protection of smaller nations, as well as for our own future liberty and prosperity, I think it is only right and proper that in any negotiations we may have everybody should be taken fully into our confidence and that we should on both sides have the opportunity of hearing matters under consideration discussed from the view point of the other side.

Of course, it is unnecessary to say to this audience, all of whom are very familiar with the subject, that the rights which American fishing vessels have in Canadian ports to-day are the rights obtained 100 years ago, under the treaty of 1818, and that under those rights American fishing vessels have the right to go into Canadian ports for four purposes, and for four purposes only—for repairs, for shelter from storm, for the purpose of obtaining wood, and for the purpose of obtaining water. Those are the only rights that, under the treaty of 1818, fishing vessels of the United States have in our ports at the present time.

Attempts were made about the year 1888, I think—30 years ago—to have the thing extended, and commissioners were appointed to negotiate an agreement looking toward a treaty on the basis that if the United States would admit Canadian fish free of duty to the ports of the United States, Canada would accord to the United States fishing vessels the same rights in Canadian ports which Canadian fishing vessels have in our ports to-day. That is, they would have not only the right to go to those ports for the four purposes I have mentioned but to go and purchase bait and other supplies, to ship crews, to transship their fish in bond through to the markets of the United States. An agreement was entered into along that line, subject to the treaty being ratified by the Congress of the United States, and pending that ratification the Canadian Parliament passed legislation providing for what is known as the *modus vivendi* licenses, licenses which no doubt some of you gentlemen here have taken out in the past. That legislation provided that annual licenses might be issued to a United States vessel on the payment of the sum of \$1.50 per registered ton of the vessel's tonnage, under which the American vessel would have the right to go into our ports, buy bait and other supplies, ship crews, and transship fish through in bond to the markets of the United States. Unfortunately—I think unfortunately for both countries—that treaty was not ratified by the Congress of the United States. So to-day the rights that the American fishermen have in our ports are of a temporary character, subject to being terminated any year, because from year to year this order in council is passed, and it has not been passed, I can say to you without violating State secrets or the oath taken by the privy council, in any year without considerable opposition, advanced and urged by Canadian interests.

It is not desirable, I think, that this arrangement should go on simply as a temporary matter, liable to be canceled at any time, in any year, thus causing confusion to the fishing interests in the United States and confusion to certain interests in Canada.



By the tariff of 1913 the United States admitted Canadian fresh and frozen fish free into your markets, and not only Canadian fresh and frozen fish but fish from whatever country it might come. It was not done as a favor to Canada; it was done as a matter of domestic policy of the United States, it being believed, I presume, by those who framed the tariff that it was for the interest of the people of the United States that fresh and frozen fish should be admitted free. That having taken place, the Government of the United States caused certain representations to be made to the Government of Canada, to the effect that as fish were admitted free to the United States it was felt that the Government of Canada should extend the *modus vivendi* to all vessels, however propelled, instead of limiting it, as it is now and has been for 30 years, to vessels driven by sail alone.

Many things have occurred in the past 30 years. The fishing business has been largely revolutionized. Many of the fishing vessels are now propelled by steam or other motive power, and it is a small majority, I think, that are to-day propelled simply by the force of nature—the wind.

In reply to that suggestion the Government of Canada, in correspondence, pointed out that this was not a privilege granted to Canada; that it was a matter of domestic policy, and that the United States might terminate it at any moment they chose; that a different policy might prevail in the future, and that we might find that fish were no longer admitted free into the markets of the United States. We further pointed out that, while you admitted fish free into your markets, there were certain restrictions which were imposed upon the Canadian vessels through your navigation and customs laws which made it difficult for them to take advantage of the sending of free fish in here to the fullest extent; that our vessels were not permitted to come into your ports from the fishing grounds. In this matter I am speaking solely of the situation on the Atlantic coast, because a different rule seems to prevail on the Pacific coast. A different policy and practice is followed there under practically the same law. But on the Atlantic coast the fishing vessels of Canada are not able to come into your markets with their catch without first proceeding to a Canadian port and there either transferring their load of fish to a trading vessel or else themselves taking out a license or registering themselves as a trading vessel, and then proceeding to your ports; and those vessels, having come to your ports and unloaded their fish, are not then permitted to proceed to the fishing grounds by the shortest route—along the hypotenuse of the triangle—but have to clear for a Canadian port, and from that port to the fishing grounds, thus traveling by the base and the perpendicular of the triangle instead of by the hypotenuse—the short cut.

We suggested, further, that there was also another matter that might be considered; that we were trying to conserve our lobster supply on the Atlantic coast; that we were having on our coast certain closed seasons during which no lobsters could be caught in our territorial limits—within the 3-mile limit—and that while we were enforcing that regulation well smacks were coming from the New England coast and catching lobsters outside of the 3-mile limit, seeking the shelter of our ports at night and then going on to American ports with them; and that our fishermen had had the pleasure of sitting on the shore, prevented by our laws from catching

lobsters in that season, and looking out and seeing their American cousins catching them beyond the 3-mile limit, while our action was intended to preserve the lobsters not only for our own benefit but for the benefit of everybody concerned in the lobster industry.

The Government of the United States suggested, in a proper and statesman-like way, that there should be a conference on the subject; that the whole matter should be discussed with the best of friendly feeling; and I am delighted to say that the best of friendly feeling has prevailed between the American and the Canadian commissioners at the hearings already held. Wherever we have been we have found a disposition to approach the subject from the standpoint of fair, honorable, and proper feeling between the two countries, unhampered by any traditions or history of the past.

So this commission has been appointed, representing both countries, on the one side Mr. Redfield, Secretary of Commerce; Mr. Sweet, the Assistant Secretary of Commerce; and Dr. Smith the highest authority on fishing in the United States; and on the other side myself and my associate present, Mr. Found, superintendent of Canadian fisheries; also Mr. Desbarats, the deputy minister of naval service. We have come here for the sake of getting information and discussing these matters. We are not limited, however, to a discussion of these matters that have been referred to. We have a right to consider any outside fishing questions that may have arisen between Great Britain or Canada and the United States, and many other questions that have come up at our conference.

On Tuesday, at St. John, New Brunswick, we will hear the representatives of the fishing industry of the Maritime Provinces of Canada, and no doubt there we will hear differences of opinion expressed, as they were expressed in Boston yesterday and as no doubt they will be expressed here to-day.

I might say that it will be a very great pleasure to us if at our meeting at St. John on Tuesday next, and probably on Wednesday next, there were present representatives from this section of the Union, so that they might hear the viewpoint of our people, ask them any questions they please, and get the fullest possible information, because our desire is simply to elicit the facts, and then, having the facts before us, we can get together and see if we can not recommend to the Governments of our respective countries an arrangement that will put to an end the irritation that has existed in the past and that will be for the general benefit of the people who live on this North American Continent, whether they live to the north or the south of the international boundary line.

There is no hurry about the matter, because some time in March or April we will have to proceed to the Pacific coast, to the State of Washington, to British Columbia, from there to Prince Rupert and Ketchikan, Alaska, for the purpose of getting the views of the people there in regard to certain difficulties connected with the fishing situation that exist on the western shore of this continent.

As the chairman of the joint commission (Mr. Redfield) has said, anyone who has any statement to make after we leave here in regard to any matter that may occur to him in the future can put his views in writing and file them with the commission. Any communication sent to Washington in that way will be read by the commissioners

and discussed and considered, being given the very fullest possible consideration in our power.

We have stated briefly what we are here for. We would like to hear from fishermen, the representatives of the fishing interests of this historic port of Gloucester, which is known the wide world over as a fishing port. We would like to hear from you your views touching these questions.

Secretary REDFIELD. On behalf of the American commissioners I wish to say that we join very earnestly in the invitation extended by Chief Justice Hazen to representatives of various interests in your port to come to St. John, if they can do so, and be present at the hearings there next Tuesday and Wednesday. We can assure you that the fullest opportunity will there be given anyone who may come representing Boston or Gloucester to ask questions, and we earnestly hope representatives from Boston and Gloucester may be present there in St. John to get information and to give advice in regard to any program that may be thought proper.

#### **STATEMENT BY MR. FREDERICK L. DAVIS, PRESIDENT OF THE GLOUCESTER BOARD OF TRADE.**

Mr. DAVIS. Mr. Chairman, I noticed the other day in Boston that there was quite a little hesitancy in getting things started. We have different points of view here in connection with our fishing industry, one man differing from another, and I think you would like to have those differences of opinion brought out. I would like to ask Mr. Marshall, who is the representative here of large interests of a peculiar type in connection with shore fisheries, a man who knows his business pretty well, to start off by giving his ideas.

#### **STATEMENT BY CONGRESSMAN WILLFRED W. LUFKIN.**

Congressman LUFKIN. Mr. Chairman, if I may, at this point I would like to ask one or two questions before we proceed farther. In view of the fact that there has been a great deal of discussion in the newspapers and otherwise to the effect that these agreements should be carried out in the interest of patriotism, perhaps, I want to ask your board if it is its intention, its idea, that these recommendations should be in effect simply as a war measure or as a permanent arrangement between the two countries? I think perhaps the gentlemen here would discuss the matter more intelligently if they understood about that.

Secretary REDFIELD. What we have in mind, of course, is a permanent arrangement between the two countries; but it would be an error. Mr. Congressman Lufkin, to speak of these things which have been read as being all or even a major part of what the commission has in mind. These are simply a portion of the subject, are not intended to be the whole of it, and the discussion would be proceeding along mistaken lines if it were to be supposed for a moment that the points suggested are the sole ones, or perhaps in the final analysis even a majority of the things to be considered.

Congressman LUFKIN. I have raised the question because undoubtedly a permanent arrangement would require approval by Congress,



whereas I suppose a war arrangement could be put into execution through a proclamation by the President under the food act, could it not?

Secretary REDFIELD. I am sure I don't know. That is a thing that has not been considered, Mr. Congressman.

Congressman LUFKIN. I understand so.

Secretary REDFIELD. Our thought is purely to a permanent arrangement. There are certain features that have already been discussed by us—as, for example, the matter pending on Lake Champlain—that can be settled, I understand, by regulation.

Chief Justice HAZEN. Yes.

Secretary REDFIELD. Certain other matters would require action by Congress; certain other matters would require a treaty, which in its turn would require the approval of the Senate. Our purpose is not limited, not confined to any one of these things, but is as broad as the relations of every kind, from Alaska to Cape Breton Island.

Congressman LUFKIN. I thank you very much, sir.

#### STATEMENT BY MR. J. MANUEL MARSHALL, AN OWNER OF VESSELS SAILING FROM GLOUCESTER.

MR. MARSHALL. Mr. Chairman and gentlemen, I had not intended to say anything just yet, and I did not know that Mr. Davis intended that I should make any remarks just yet. I wanted to hear from those whom I thought would perhaps be more vitally interested, in a way, than I am.

My interests in the fishing business are comparatively small. It is true that I am interested in a few vessels, but very few vessels; and, looking at my interest in a personal way, I would say that I should prefer to let the present situation remain as it is. I do not want to see Gloucester lose her identity, individuality, or personality, if I might apply that word to Gloucester as the seat of the fishing industry. I certainly would not like to see Gloucester lose her individuality.

I realize, as you say, Mr. Secretary, that the question is a broad one and that we ought to do what is best for the whole country. Let us draw a circle right around the whole of North America. It ought to be done in that way, if it can be so done, in order that these jealousies—and they are not petty jealousies, but the jealousies that each of us have of the other—may not prevail. There should be a circle drawn around the whole of North America in connection with this matter, and I think that is coming, although personally, as I say, I think I should prefer to let the thing stay as it is. I think there would be more money in my pocket and in the pockets of those I represent to allow the situation to remain just as it is.

But I think what I suggest is coming in time. I look forward to the time, and perhaps not in the far distant future, when our interests in the fisheries will be identical, as they are now in one respect: when American vessels will be visiting the Canadian ports and have the same access there and exercise the same rights and privileges that they have in our ports.

Your object, I understand, is to enlarge the supply of fish. Whether that is going to accomplish what you desire or not I don't know; but it will certainly help in a great measure.

As I say, I do not care about discussing the situation in all its different aspects or phases just now, until I hear from some of the others. But Mr. Davis has called on me, and I want to make these preliminary remarks, to show how I feel personally. I say, however, speaking from a patriotic standpoint, from an enlarged view of the whole matter, that the time will come, and perhaps it is not very far away, when we will all use each other's ports as freely as we wish.

Secretary REDFIELD. May I ask you a question, Mr. Marshall?

Mr. MARSHALL. Certainly.

Secretary REDFIELD. Taking the vessels that you own, what is the nationality of the crews?

Mr. MARSHALL. Portuguese, solely. That is, they are practically all Portuguese.

Secretary REDFIELD. And those who are not Portuguese are what?

Mr. MARSHALL. Why, there are very few others. I might say that they are all Portuguese. There are very few on the vessels who are not Portuguese.

Secretary REDFIELD. American citizens?

Mr. MARSHALL. Yes; some of them; and some not.

Secretary REDFIELD. Of what birth?

Mr. MARSHALL. Mostly of Portuguese birth. The officers are American citizens, but principally of Portuguese birth.

Secretary REDFIELD. Naturalized?

Mr. MARSHALL. Yes. Most of the men, I think, are not naturalized.

Secretary REDFIELD. The vessels are propelled by power?

Mr. MARSHALL. Auxiliary power.

Secretary REDFIELD. And from your knowledge of the vessel-owning industry, it is the general tendency, is it not, to have vessels propelled by power?

Mr. MARSHALL. I think so. Some of the vessels did not have power until this year—that is, auxiliary power. I caused it to be put in.

Secretary REDFIELD. Has there been within recent years a tendency toward the consolidation of ownership of fishing vessels? In other words, are there as many individual owners as there were 10 years ago?

Mr. MARSHALL. No; I think not.

Secretary REDFIELD. How many vessel owners are there in Gloucester, about?

Mr. MARSHALL. Well, with regard to the fishing interests, they are largely centered in one industry in Gloucester, the Gorton-Pew Fisheries Co.

Secretary REDFIELD. You are not connected with that company?

Mr. MARSHALL. No.

Secretary REDFIELD. They do own vessels?

Mr. MARSHALL. Yes.

Secretary REDFIELD. How many different operating owners of vessels are there in Gloucester?

Mr. MARSHALL. I don't know. Probably, taking people interested in the different vessels, there might be 100 owners of small vessels, and of large ones there might 100 more.

Secretary REDFIELD. That, I understand, is a smaller number than was the case 10 years ago?

Mr. MARSHALL. Well, as I say, I think the ownership of the vessels is largely centered in one concern, now.

Secretary REDFIELD. Then, do I get from you the impression correctly that there is a substantially concentrated ownership of vessels in this port?

Mr. MARSHALL. In the fishing industry; yes.

Secretary REDFIELD. In the fishing industry, I mean?

Mr. MARSHALL. Yes. There is one question I wanted to ask in regard to the privileges to be granted to our vessels, with respect to selling fish in a Canadian port. I notice that you say with respect to the tariff duties, "subject to the tariff duties."

Secretary REDFIELD. If any.

Mr. MARSHALL. No; you don't say that. But here, in reference to the United States, you say, "if any." I wanted to know whether there was any significance to that or not.

Secretary REDFIELD. The tariff, as a domestic problem, a question of raising revenue, is not directly within the function of this conference.

Mr. MARSHALL. I wondered if it was the hope that the vessels of the United States might exercise all the privileges of the Canadian ports, as they desire?

Secretary REDFIELD. I am very much interested in that, Mr. Marshall. I wish you would give us your views on that. What do you think would be desirable?

Mr. MARSHALL. As I say, that is not a question that would concern me much, personally. These vessels of mine rarely make use of the Canadian ports.

Secretary REDFIELD. Why not?

Mr. MARSHALL. They don't fish down that way so much, don't have occasion to.

Secretary REDFIELD. That is, it is not a matter of the law but a matter of your own individual policy or practice?

Mr. MARSHALL. Their policy in the matter of fishing is somewhat different. Those privileges, as far as my vessels and a great many others here, are not exercised, or are exercised but rarely, but I think the tendency is more and more that the fishing vessels of Gloucester will not make use of them. That is not only the result of my own experience, but what I have learned from others, that our fishing vessels do not exercise the privilege of going into the Canadian ports, and paying a license fee of \$1.50 per registered ton for the purpose of getting bait, as they did formerly. That is, they do not do so so much. They take bait from here more than they did, and I think it is the wish of owners of vessels that they do take their supplies from home and go directly to the ground, rather than be delayed down there, and they do not make any use of Canadian ports more than they are absolutely obliged to. That feature, that privilege, as far as granting it to us is concerned, is not as beneficial now as it was formerly. At least, it appears to me so.

Secretary REDFIELD. What would be your suggestion as to the action on the part of the Canadian Government which would be most helpful to your industry?



Mr. MARSHALL. I say, so far as I am personally concerned, I prefer to have it remain as it is; but taking it from a broad standpoint, looking at it broadly and from the point of view of the welfare of all, if Gloucester is not going to lose its identity and its individuality, you might say, because I think if it does you will hear very little of Gloucester, if we lose our vessels, I think perhaps such action as is suggested between the two countries might be taken. Of course, a great many of our people are somewhat jealous, naturally, as your people are in Canada. They don't want the American vessels to go there and get many privileges. We are all naturally jealous of each other, whatever pursuit we may be engaged in. That is a well recognized fact, whether it is the fish game or anything else.

Chief Justice HAZEN. That is human nature.

Mr. MARSHALL. That is human nature. Your Canadian people are naturally somewhat jealous of Americans going in and getting privileges. Our people are, too. Men interested in vessels—some of them—think they are better off as they are now. There are others engaged in the fishing game—the fishing business—who think it would be better for their interests if they could get a greater supply of fish coming in here, that they would have a better opportunity of manufacturing it. But I feel that in one sense it may be that you are going to lose sight of Gloucester entirely at the time when this thing comes about. Yet I am perfectly willing, as far as my interests are concerned, small as they are, to draw a circle right around North America and say, "Here let us feed the whole continent; let us all help feed each other." I don't know how the thing will work out between the two countries, whether French and Portuguese and other vessels will want to come in here and operate from foreign countries.

Secretary REDFIELD. That is not within our scope.

Mr. MARSHALL. No. As I say, I don't know how far this will extend in time, whether it is to be limited to the two countries.

Mr. FOUND. I would like to ask Mr. Marshall on what grounds his vessels usually fish—how far they go?

Mr. MARSHALL. They fish around Georges and Middle Bank and Quero in the summer time. But in wintertime my vessels don't go far.

Mr. FOUND. Could you give the names of some of your vessels?

Mr. MARSHALL. The *J. M. Marshall* is one I am interested in, the *Henry Marshall*, the *Angie Marshall*, the *Mary Pierce*, the *Flora Oliver*. I think that is all at present.

Capt. CARL C. YOUNG. Mr. Marshall, you made a statement that we had 100 people owning vessels in Gloucester. I don't think we have that many.

Mr. MARSHALL. Well, when I made that statement I was making a very brief, general statement. Of course, there are a number of little, small boats. There are some boats such as we call the "ginney" boats and other small fishing boats. Of course, it is hard to give the number with accuracy.

Capt. YOUNG. There are about 180 vessels that hail from Gloucester over 5 tons, and I don't think there are over 50 vessel owners of those vessels in Gloucester to-day.

**STATEMENT OF CAPT. CARL C. YOUNG, OF GLOUCESTER.**

Secretary REDFIELD. Capt. Young, suppose you take the larger vessels only, and the bankers, so-called, how many vessels have you of the larger seagoing type?

Capt. YOUNG. About 80, perhaps; 80 to 90.

Secretary REDFIELD. And how many owners?

Capt. YOUNG. I think you will come down to perhaps 10 owners—12 owners.

Secretary REDFIELD. When you say 10 to 12 owners, do you mean 10 to 12 parties who operate the vessels?

Capt. YOUNG. Yes, sir.

Secretary REDFIELD. Operating owners?

Capt. YOUNG. Yes, sir; operating owners.

Mr. DAVIS. Mr. Chairman, some suggestion has been made here in regard to the Gorton-Pew people, who have a large factory here, and I would like to hear from Mr. Carroll, the manager of the Gorton-Pew Fish Co., of Gloucester, which is, by far, the largest vessel owner in the city of Gloucester. They are interested in trawlers, sailing vessels, vessels with different motive power, and, I think, Mr. Carroll can give you a lot of information.

**STATEMENT OF MR. THOMAS A. CARROLL, GENERAL MANAGER OF THE GORTON-PEW FISHERIES CO., OF GLOUCESTER.**

Secretary REDFIELD. You are general manager of the Gorton-Pew Fisheries Co.? Is that correct?

Mr. CARROLL. Yes, sir. Mr. Secretary, if you will pardon me, I am not as accustomed to talking as my friend Marshall, but at a meeting of the board of trade the other night we discussed this matter, and a statement was made there that I would like to repeat here, as nearly as I can. It seems to me at this time, when the people of Canada and the people of the United States are fighting together in the cause of humanity, we should take a broad view of this proposition, regardless of the fact that some people may be hurt. I took that stand then, and I still stand by that position. At that meeting it was suggested that an arrangement on a fifty-fifty basis be made. That was the sense of the meeting, and I maintain that it will be the sense of this meeting. I maintain that it will be the sense of your discussions in conference and of your decision.

But the question comes down to this—what is fifty fifty? No fair-minded man should complain of a fifty-fifty settlement, but sometimes opinions differ as to what is fifty fifty. To the best of my ability, I am going to tell you what I think fifty fifty is on this proposition.

Some of the people of Gloucester seem to get the idea that this is a question of protection as against free trade. If it was a question of protection, or duty on fish, I would stand where I have always stood, for protection. I believe in protection for American industries, but this is not a question of protection. The question is, as I see it, whether we are going to assist the Canadians in taking advantage of something that was granted in the last Congress, under the Under-

wood tariff bill—namely, putting fish on the free list? If the Chief Justice will pardon me, I would like to make a little statement in regard to that matter. I notice that in his statement in Boston and here he has spoken about the only fish on the free list being fresh and frozen fish. That is not quite true. Salt fish is on the free list, too, what we call green fish. In other words, the tariff says that fish skinned or boned will carry a duty of three-quarters of a cent a pound, which means that all other fish we handle in Gloucester is free.

Now, the question comes down in my mind to the schedules you have here. In regard to No. 6, taking the last of these six points that have been brought up; first, I would say that I know nothing about it. I think there are not many people in Gloucester who will have much to say on the lobster part of the proposition. But the others get down to one distinct proposition, in my mind, and that is this: On the one side there is the question of permitting our vessels to go into Canada and get a license, however they are propelled, at \$1 a vessel per year, as against the present *modus vivendi* license of \$1.50 per ton, and giving Canadian fishing vessels the right to come into this market and land their fish without going into their home port and taking out a license and becoming traders; as the Chief Justice says, with the right to transship fish, and so forth. I think it is a fifty-fifty proposition. There are a lot of men in the room who are going to disagree with me on that, I am sure, and they are all good friends of mine, and I respect their opinions. But I say to you, gentlemen, if Gloucester is to lose its identity, as Mr. Marshall says, nobody will feel it as much as the firm I represent. It is true that we have another interest that the fisherman does not have. We manufacture the fish after we get them. But, broadly speaking, there is no one who will feel any change to the detriment of the industry here as much as we will, and there is no one more loyal to Gloucester than our people. We were born and brought up here, and all we have is here, and it is inconceivable that any of us would stand up in a meeting like this and advocate anything that we thought would injure this industry. If it does injure the industry, it is a case of mistaken judgment on our part.

So much for that. I think there are a lot of things that Canada should do for our vessels that they don't do now, and there is one thing in particular. If they do accept this proposition of the license they should allow our vessels to dress the fish in the harbors of Canada. The captains tell me that that is one very important thing that they should get, that they are forbidden to have now, within the 3-mile limit.

Secretary REDFIELD. Explain that, won't you, a little more fully for our record, Mr. Carroll? When we read this it will be some weeks hence.

Mr. CARROLL. A vessel might get a school of mackerel. Of course, there are men who would answer the question, captains here, a great deal better than I. I have never been fishing, and am not an expert in that line. But the captains are here, and if I state this thing wrong I would like to have them correct me. A vessel goes down there and catches a school of mackerel, and for some reason—stress



of weather or otherwise—they would like to go into a harbor. The mackerel is on deck and ought to be taken care of. They are forbidden to do that now in Canadian harbors, or within the 3-mile limit. If they were allowed that privilege, coming from the banks, we would at least get that privilege to offset the license.

Chief Justice HAZEN. Would there be any objection to that because of throwing over entrails and waste having a pernicious effect on the fishing in that locality?

Mr. CARROLL. I think not, because there is very little waste in dressing mackerel.

Chief Justice HAZEN. That is something new to us. We have not heard about that before.

Mr. CARROLL. It is a very important consideration, as they will tell you.

Mr. SWEET. That is very interesting.

Dr. SMITH. That is important to you, Mr. Carroll?

Mr. CARROLL. Yes, sir; but not so much as to others. I would like to recede a little from the position I took the other night. I would not mention this, but it is in your line. The question was asked me by my friend, Millett, the other night what I would say if one of our steam trawlers was forbidden to fish within the 12-mile limit of Nova Scotia. I said, if Nova Scotia passed a law in the interest of the conservation of her shore fishing which forbade our own vessels in that area from doing what the Canadian vessels were forbidden from doing, we ought to respect the law and not act contrary to it. I will now amend that statement, however. I think, in connection with any action whereby either Canada or the United States intends to conserve or protect its inshore fisheries outside the 3-mile limit, if you can call it so, the law should not be changed with regard to any other nation without considering its position first, and letting it have something to say about the subject. I will stand on that proposition.

Chief Justice HAZEN. Well, this is the situation: That it is impossible for us to make a law preventing fishing outside the 3-mile limit, except as applied to our own vessels operating from our own ports. We could not prevent your vessels, operating from American ports; French vessels; or vessels of any other nation from operating outside the 3-mile limit.

Mr. CARROLL. I understand that, Mr. Chief Justice, but taking the case that has been already stated to you, it was our vessel, and while the law was clear and while our captain was an intelligent man and knew the law, still his position was this: That he wanted certain things, and couldn't get the things without signing an agreement which in effect was just as strong to him as if it were the law.

Secretary REDFIELD. That case, so far as the commission is now informed, appears to have been a clear oversight and a mistake.

Mr. CARROLL. Yes, sir.

Secretary REDFIELD. And we propose, when we go to the Maritime Provinces, to investigate further, and our friends the Canadian commissioners have offered to help us in the matter. If we find the facts as they have been stated, assurances have been given that collectors will be notified so that it will not happen again.

Mr. CARROLL. There is another question that has come up and been talked about a good deal, upon which I would like to state my opinion. Much has been said to the effect that we admitted the products of the Canadian vessels here free of duty, whereas when our vessels go into Canadian ports they have to pay duty. I don't know how it strikes this assembly, but I am going to say that I do not object to that. I can not consistently oppose that proposition and at the same time favor the coming in of the fish. The changing of this law which prevents vessels now coming in direct is going to mean a great pile of fish coming into this market, and then it is proposed that, if we want, we can go down to Canada, if we want to sell fish there. As far as that side of it is concerned, as a rule the American market is better than the Canadian market, and that proposition does not appeal to me. I don't know of any time when a vessel of ours has wanted to sell fish in Canada except she has been disabled or unable to get to an American port. Under those conditions she can send her fish in bond. I know there will be a disagreement on that, but still I think this is the time for plain speech and for every man to state his position as he sees it.

Secretary REDFIELD. You export fish to Canada at times, do you not?

Mr. CARROLL. Very little.

Secretary REDFIELD. Well, for the purposes of the record I will say that there have come into the United States—the entire United States—from Canadian ports—much of it might be from lake ports or northwestern ports—in the year 1916, fresh fish other than salmon, 6,750,259 pounds.

Mr. CARROLL. Yes. My firm does not sell any fresh fish to amount to anything.

Chief Justice HAZEN. I think probably a large amount of that is halibut caught on the western coast.

Secretary REDFIELD. Go on.

Mr. CARROLL. I think I have talked myself out, Mr. Secretary.

Secretary REDFIELD. May I ask a few questions?

Mr. CARROLL. Yes, sir.

Secretary REDFIELD. You deal in prepared fish, entirely?

Mr. CARROLL. Yes, sir.

Secretary REDFIELD. And has your business—your output in pounds—increased largely in the last 10 years?

Mr. CARROLL. Yes.

Secretary REDFIELD. And do you find a ready market for your output?

Mr. CARROLL. Yes.

Secretary REDFIELD. Is it your thought that that market is capable of still further expansion?

Mr. CARROLL. Yes.

Secretary REDFIELD. Are you familiar with the area of the country in which fresh fish is sold?

Mr. CARROLL. Not as an expert. A fresh fish man would be able to answer that question a great deal better.

Secretary REDFIELD. Is your market country wide, Mr. Carroll?

Mr. CARROLL. Yes, sir.

Secretary REDFIELD. You send to the far West and to the South?

Mr. CARROLL. Yes, sir; we send codfish to the Pacific coast—are sending codfish to San Francisco to-day.

Secretary REDFIELD. Why is it that we eat, consume, so small an amount of fish in this country, in your judgment?

Mr. CARROLL. I will answer that in my own way, perhaps.

Secretary REDFIELD. Of course, you will.

Mr. CARROLL. It brings up something I want to say. I want to pay a tribute to the administration here, if I may be permitted to do so. For a great many years the demand for codfish was large, and then it dropped out. But for some years now it has been gradually increasing. Some years ago new concerns went at the thing in a new way and put the fish up in more attractive forms, and that prevented the trade slumping as it might otherwise have done. But it didn't increase much until this past year, and I am going to give a great deal of credit for that to the Fish Commission, through Dr. Smith and his department, advocating and advertising fish. No doubt a lot of it is due to economic conditions in the country, the high prices of other food products, but, whatever the reason, the increase of late has been tremendous. The result is now that none of us, speaking now for my own firm, have been able to take care of it this fall.

Secretary REDFIELD. What I want to get at, Mr. Carroll—and I think you are an expert on the matter; doubtless there are others here—is whether in our fishing industry in this country we have been more or less neglecting a very great opportunity which is just beginning to open to us, and whether if we take that opportunity the problem is not this—and if it is it alters our whole viewpoint—whether, if we seize the opportunity and take advantage of it, the problem is not this: Have we or can we get vessels enough and equipment enough to meet the demand, regardless of any other question in the case?

Mr. CARROLL. I think that is practically the question now; yes, sir.

Secretary REDFIELD. You have been kind enough to speak of the work Dr. Smith has done. It is a great and wonderful work, for which he is entitled to very great credit; but, just to refer to what we were speaking of for the last 20 or 25 minutes, the Bureau of Fisheries has caused to be put upon the market in excess of 50,000,000 pounds of entirely new and unused fish foods.

Mr. CARROLL. Yes.

Secretary REDFIELD. Not one of which two years ago was on the market at all, and it has done that apart from the other very great care Dr. Smith has given to these matters concerning the fish industry. Dr. Smith's department has been able to do that, with the assistance the Doctor has had from his able friend, Dr. Moore, and his clerical force, and chiefly with the aid of one man, who is known to you, Mr. Douthart, at a cost of \$20,000. That process is still going on. Much work along that line has been done, with a great degree of success. For instance, the whiting, which up to 10 or 12 years ago was an entirely neglected product, is now selling in very large quantities and is being sent fresh or frozen as far west as Denver, Colo. I presume, too, we all know that 15 years ago there was no flounder fishing in the United States, and to-day, I think, we have to plant a billion flounders a year to keep up with it. The



work which has been undertaken along these different lines shows that there is an enormously great market almost untouched. If we bring up our consumption to half that of Great Britain by Government aid, I think you can all realize what it would mean. I may say that I made an offer in Boston, which is open here, to put a first-class man on at Government expense, whose sole duty it shall be to travel throughout the Middle and Central States continuously for at least six months to preach the gospel of "Eat fish" and nothing else. If by that means and any other we bring ourselves up to the consumption per capita of Great Britain, it means that 2,000,000,000 pounds more fish has got to be found from somewhere. Is there an equipment in existence—vessels and equipment—to meet such a demand if it were to arise within two or three years?

Mr. CARROLL. No; positively not.

Secretary REDFIELD. In other words, then, if we merely wish to create in this country the condition which Great Britain already has, or even if we proposed to raise our fish consumption to the per capita rate of Canada, from 18 pounds to 29 pounds apiece, it will overstrain the entire fishing facilities of this country. Is it not so?

Mr. CARROLL. Absolutely.

Secretary REDFIELD. Now, are you aware—I think I am not betraying any confidence, Mr. Robertson, when I say this—that there is at least a very earnest suggestion in Great Britain that the fish consumption there be multiplied by four, bringing it from 58 pounds per capita per year to approximately 200 pounds?

Mr. ROBERTSON. Yes; the movement proposes, as I understand it, that the total fish consumption of the United Kingdom shall be 18 to 20 per cent of the total food consumption.

Secretary REDFIELD. And it is now what?

Mr. ROBERTSON. It is now about 6 per cent, I think.

Secretary REDFIELD. That would multiply it by three.

Mr. ROBERTSON. Yes; and I believe it is capable of achievement.

Secretary REDFIELD. That would call upon Great Britain's fisheries to provide an annual supply of 12,000,000,000 pounds of fish, six times the product of the American fisheries; and I have merely pointed out to you that it is seriously undertaken and that it has a distinct bearing upon the question whether British shipbuilders, for example, are going to be occupied in competition with Americans.

Mr. CARROLL. I hope, Mr. Secretary, if I may suggest something, that in the campaign which perhaps the Government is attempting to carry on in the interest of increasing the fish consumption, they do not lose sight of the fact that people should pay at least reasonable prices for fish. You can not increase the production of fish without the men who man the vessels getting at least reasonable compensation. They must be paid as well as men in other industries. The great trouble has been in this country in years past that people have looked upon fish as something cheap, as something to be eaten as a penance at certain times; that it was something that poor people had to have when they couldn't afford to buy meat. That is not true in England. The people there pay for fish, and they must pay for it here in this country. When they do that, I have no doubt that we can attract more men into the fisheries and build more vessels. The result will be, when you create the demand, if the prices

are at all reasonable, we will tackle the supply, will do our part. It can not be done in a year or two with such an increase as you speak of, but it will be done in time.

MR. SWEET. Of course, Mr. Carroll, if a larger demand is created, the natural tendency of that would be to keep up the prices?

MR. CARROLL. Yes, sir. Along that line you see what has happened this winter.

MR. SWEET. And that would enable the industry to pay proper wages?

MR. CARROLL. Yes, sir. I notice that the papers have been knocking the fish people as having taken advantage of the situation. I assure you that they have not.

MR. SWEET. Well, if such a demand as referred to is created throughout the whole country and people buy fish in large quantities, the tendency of that will be to raise the prices of fish and enable the industry to receive better wages?

MR. CARROLL. Yes, sir. Get out of the minds of people the idea that fish is cheap—a thing to be despised.

MR. SWEET. You regard the work done by Mr. Smith's department as one of importance, a very commendable work?

MR. CARROLL. Yes, sir; and we have cooperated with him.

DR. SMITH. I know you have, most cordially.

MR. CARROLL. Mr. Marshall said he would prefer to have things stay as they are, personally. I would say to Mr. Marshall that things don't remain as they are in this world. There are always things going on, dangers coming, and we must meet them after the war, and meet them like men, solving them to the best of our ability.

MR. SWEET. Something has been said about reducing the license fee from \$1.50 per registered ton to \$1 per vessel per year?

MR. CARROLL. Yes, sir.

MR. SWEET. If the Canadians should exact that from us, don't you think we ought to exact the same thing from them?

MR. CARROLL. Yes, sir.

MR. SWEET. That would be one of the fifty-fifty ideas?

MR. CARROLL. Yes. That was one of the things I had forgotten.

MR. SWEET. Let me now ask you, Is there any particular object you can see in having that license fee, in having any license fee at all in either country?

MR. CARROLL. That is what I wanted to speak about. I didn't care to bring it up in one way, because people might think that we didn't want to pay the dollar for the vessel. That isn't it. It is the principle of the thing. Why have that payment of a dollar at all if the thing can be done without for both countries?

MR. SWEET. What I wanted to get at was this: Can you see any advantage to either country, in the way of keeping a better record of the vessels engaged or in any other way, through exacting that license fee?

MR. CARROLL. I can not see any advantage in it at all; no, sir.

MR. SWEET. I wanted your views.

MR. CARROLL. I suppose the idea is to have control. If Canada wants to have control, let us have control. I say, summing it all up, in the last analysis, we should have the same rights in Canadian

waters that the Canadian vessels have in our waters, and should give the same rights.

Mr. SWEET. Exactly. Whatever concession is made on one side should be made on the other.

Mr. CARROLL. Yes. I will stand on that principle.

#### FURTHER STATEMENT BY MR. J. MANUEL MARSHALL, OF GLOUCESTER.

Mr. MARSHALL. Mr. Chairman, I made a remark, to which Mr. Carroll has alluded, in regard to my position in this matter personally, and I spoke about Gloucester losing her identity. Now, if the purpose, the endeavor, is to enlarge the consumption of fish, I hope you will accomplish what you desire. When I spoke of Gloucester losing her identity, I meant this: I feared that the base of operations might be transferred from Gloucester to somewhere else—to a Canadian port. You should know, Mr. Chief Justice, that a great many people here fear that the base of operations of our fishing vessels will be transferred from Gloucester to your Canadian ports, that there will not be the work here for shipbuilders that we have to-day, that there will not be the work for the different artisans that we have now supplying the vessels.

Chief Justice HAZEN. Why do you fear that?

Mr. MARSHALL. We do not fear that Gloucester will lose her identity as a fish port, for manufacturing, but we do as a fishing port. We will still get the stuff from your country, from the Canadian waters, and Canadian people will bring it here, and it will be manufactured here. But our fishing fleet will gradually become, if I may use the word, decimated; we will not have very much of a fleet here.

Chief Justice HAZEN. Why not?

Mr. MARSHALL. That is what a great many people apprehend and fear: and when I spoke of Gloucester losing her identity, I did not mean that she would lose her identity as a fish market, but as a fishing port, because I think the base of operations of the fishing fleet will be transferred to those ports which are more convenient and handy for operations in and out, in connection with the great supply of fish. But, so far as enlarging the consumption of fish and getting it to the people is concerned, I think that is a thing we would probably all like to see accomplished.

Secretary REDFIELD. From what locality does the largest supply of fish come?

Mr. MARSHALL. I think the great supply of fish comes from Canadian waters. I don't say it does now, but that is where it will come from. Perhaps the figures now, the statistics, will show you that more has been brought in adjoining our shores than from down in that locality; but if this plan goes through I imagine, apprehend, that the largest part of the supply will be taken from off those shores, in those waters, and either shipped directly through Canadian ports or brought directly in Canadian vessels and American vessels to our ports.

Secretary REDFIELD. Mr. Marshall, if you will pardon me, the records show that 73 per cent—and this has been the record of 15



years past, I am told—of the catch landed by the American fishing fleet at Boston, Gloucester, and Portland, is taken from the fishing grounds lying off the coast of the United States.

Mr. MARSHALL. Yes.

Secretary REDFIELD. Now, under the conditions of which we are speaking, this greatly enlarged fish demand, what reason is there to assume that that condition of affairs which has continued so long will change?

Mr. MARSHALL. I think you will have a five to ten times larger fleet tonnage operating than you now have, and that they will operate in those waters. You will get the fish, if you pay the prices. You will have the means of getting fish.

Secretary REDFIELD. Why operate in different waters?

Mr. MARSHALL. The fishing grounds there are more convenient to operate in from those ports than here.

Chief Justice HAZEN. Why would they take those fish to Canadian ports and leave them there, when they can ship them by rail to United States ports?

Mr. MARSHALL. Well, I feel that they would naturally operate there.

Chief Justice HAZEN. Why?

Mr. MARSHALL. I think it would be more convenient in every respect—I mean where they are doing it on a large scale.

Mr. SWEET. You mean American-owned vessels?

Mr. MARSHALL. American-owned vessels; yes, sir. I think, if I were going to play the game on a large scale, I would do it that way myself. But when you do that I think there will be no disputes of any international consequence between Gloucester and Canada affecting our fisheries. You will never hear much of Gloucester in that respect.

Chief Justice HAZEN. Those vessels will be coming to American ports with their catches?

Mr. MARSHALL. I think so.

Chief Justice HAZEN. Then, why will they operate from Canadian ports?

Mr. MARSHALL. I think it will be handier for them, more convenient.

Mr. FOUND. Why more convenient, if the American fishing vessels have the privileges suggested and the liberty of getting their fish, any supplies they may need, coming in and transshipping their catch, and all those things, in Canadian ports, that Canadian vessels would have?

Mr. MARSHALL. Well, it will be a great benefit for them to operate down there.

Mr. FOUND. Well, I fail to see where the advantage would lie with the local man when the market is here.

Mr. MARSHALL. I presume it is better to have your base of operations close to your fishing grounds where you harvest your fish from.

Secretary REDFIELD. Thank you very much, Mr. Marshall.

At this point I would like to put into the record a statement concerning the Gloucester fleet of over 32 tons, showing an aggregate

of 93 vessels, of which 37 are auxiliary and 56 are sail. This is open to the inspection of everybody and will be made a portion of the record.

(The list of vessels in the Gloucester fleet of over 32 tons, for the year 1917, prepared by United States Fisheries Agent Brown, of Gloucester, and approved by President Fred L. Davis, of the Gloucester Board of Trade, is as follows:)

	Vessels.	Auxiliary.	Sail.
100-110 tons.....	4		4
90-100 tons.....	17	3	14
80-90 tons.....	21	7	14
70-80 tons.....	24	13	11
60-70 tons.....	8	4	4
50-60 tons.....	8	3	5
48 tons.....	1		1
45 tons.....	2	1	1
43 tons.....	3	2	1
42 tons.....	1	1	
39 tons.....	1	1	
33 tons.....	2	2	
32 tons.....	1		1
Total.....	93	37	56

#### STATEMENT BY CAPT. GEORGE H. PEEPLES, OF GLOUCESTER.

MR. FRED L. DAVIS. Mr. Chairman, we have a captain of vessels here, Mr. George H. Peeples, whom I would like to have address you. He has been for awhile in Newfoundland, and has just arrived home. He is in touch with what is going on there.

CAPT. PEEPLES. Mr. Chairman and gentlemen, looking at the matter from a practical point of view, from the standpoint of an operating fleet, I think that a fleet of vessels can operate out of Nova Scotia cheaper than they can from here—that is, if you are going to allow American vessels to go down there and have free privileges—they can operate out of Nova Scotia to-day cheaper than they can out of Gloucester.

As far as conservation of food is concerned, I believe, as Mr. Carroll does, that we should do all we can in this critical time to conserve and produce food in order to carry on this war. We are fighting in a common cause with Canada and should put no obstacles whatever in the way of the scientific production of food.

In my cruise through Newfoundland, in and around the coast, I have found that the people of that colony are not doing their part, so to speak, in the conservation and the production of food. But that is neither here nor there. Of course, here we are speaking of Canada. But the people of Newfoundland are not only living under prewar conditions, but under a great deal better than prewar conditions. Their product has increased in the last two years, you might say, 100 per cent. Codfish has been selling from \$10 to \$12.50 a quintal. There is no lack of beef, pork, flour, sugar, potatoes, cabbages, butter, lard. They have everything in every port, in abundance. There is no food famine in Newfoundland to-day, and families there have stored in their houses anywhere from five to nine barrels of flour. You can buy sugar anywhere in Newfoundland without

restriction. About three weeks ago I attended a church meeting at Springdale, Notre Dame Bay, and the clergyman read a proclamation of King George V. asking the people to sacrifice and to conserve food, as being a necessary measure to win the war. They treated it there simply as a good joke. So the people of that country are living in plenty while we are doing all we can to conserve and produce.

The broader aspects of this question, gentlemen, I am not prepared to discuss, as I am simply a fisherman and not a statistician, and I have not the figures at hand so that I can discuss the matter intelligently. But, as a war measure, I hold up both hands for a proposition that will remove all friction from the production of food. I would like to see, as I have been telling the officials in Newfoundland this year, the fisheries restrictions removed from their statute books, as we have removed certain restrictions from our statute books regarding the fisheries. Let Canada take off her restrictive measures and let us all get together and produce food. That is the great thing. They tell us that the war is to be won through the production and conservation of food, and that is what we are working for. That is the one aim, if we are to win the war, and let us go at it right. Let us take off every restriction and produce food, having in this connection reference to fish as an article of food. That is my attitude.

Secretary REDFIELD. I am interested in what you have said, Captain, about vessels operating from Canada more cheaply. Tell us why that is so.

Capt. PEEPLES. Mr. Secretary, I am not a statistician and I have not the figures at my command, but I could get them very easily, to show the relative difference in the cost of operation in Canada and in the United States.

Secretary REDFIELD. Where does that difference occur?

Capt. PEEPLES. The difference would be in the construction of the vessels, for one thing. I think no one will dispute the fact that you can produce a vessel in Canada cheaper than in the United States to-day.

Secretary REDFIELD. How about the compensation of crews?

Capt. PEEPLES. Well, of course, since the war started the compensation of crews has increased very, very much.

Secretary REDFIELD. In Canada?

Capt. PEEPLES. In Canada. I understand they are paying as high as \$50 a month to men before the mast for over-sea service, and on the coast, I think, \$45.

Chief Justice HAZEN. In the fishing industry, in addition to paying a regular monthly salary, are the men paid a commission on the earnings of the vessel?

Capt. PEEPLES. The fishermen who man the fishing vessels are not paid a salary. They fish on shares as we do. Their lay is very much the same as ours.

Chief Justice HAZEN. We were told in Boston that the men were paid a certain sum of money as wages and then, in addition to that, were paid \$7 a thousand.

Capt. PEEPLES. That would be the bounty, wouldn't it?

Mr. CARROLL. No; that would apply to the beam trawlers.

Chief Justice HAZEN. Oh, I understand.



Capt. PEEPLES. In regard to bounty, I will say, so far as Newfoundland is concerned, that Newfoundland pays a bounty of anywhere from \$8 to \$20 a ton on ship construction.

Chief Justice HAZEN. Newfoundland has no part in these negotiations.

Capt. PEEPLES. No; but there is fish from there just the same. There is a great ship concern, the Havre de Grace Ship Building Co., operated by Christopher Hanneveg, who has been going into the fishing business with large vessels. They keep fish in cold storage, box them up in ice, and ship them to New York. They have a large vessel that will carry perhaps 400,000 pounds of fish, and I understand that they have been going into the matter with a good deal of success. Of course, they operate largely during the months of short-ages—that is, the months of January and February—and when March opens and our vessels bring in large quantities of fish they will go out, because they think there will be no profit in it. They are simply in the thing from the financial standpoint, going into the business not to get fish right along, but to get it when the price is large.

Secretary REDFIELD. Your crew is of what nationality or nationalities?

Capt. PEEPLES. Portuguese, Scotchmen, Frenchmen, Danes, Newfoundlanders, and Nova Scotia men. You can not tell at any particular time what nationality your crew is. You might have a crew consisting perhaps of four or five nationalities to-day, and perhaps a week hence an entirely different crew. But the greater number of men I carry are Newfoundlanders.

Secretary REDFIELD. Your vessel has power?

Capt. PEEPLES. Auxiliary power.

Secretary REDFIELD. Would it be an advantage to you to enter Canadian ports freely?

Capt. PEEPLES. Yes; it would. I find in my experience in operating an auxiliary vessel on the coast of Nova Scotia that sometimes we have been treated very much as you would be treated in this country in war times. I went into the port of Halifax this time with a trip of fish, going up with a westerly gale of wind, and went in for shelter, and they tried to exact pilotage in harbor dues.

Chief Justice HAZEN. You were not obliged to pay.

Capt. PEEPLES. I tried to convince the commissioner of pilotage of that, but he wouldn't take my word for it, and I had to get a business man to vouch for me.

Chief Justice HAZEN. I suppose that was due to war conditions, Halifax being a closed harbor during the war.

Capt. PEEPLES. Yes, sir. We had no trouble going through, but he merely tried to collect pilotage. It wasn't according to the statute books, because fishermen were exempt he found on consulting the statute books.

Chief Justice HAZEN. I am inclined to think it had something to do with the war.

Capt. PEEPLES. And then he insisted, from the fact that I might be in there to purchase supplies, that there might be a doubt there, and I had to get a business man to vouch for me before I could get a clearance at the pilot office. That was necessary in order to clear at the customhouse.

Secretary REDFIELD. But you didn't pay the pilotage?

Capt. PEEPLES. No; because I found a man to identify me, to vouch for me. Otherwise I would have been detained there over night.

Mr. SWEET. The whole incident being due to the mistaken point of view of an official?

Capt. PEEPLES. Yes, sir. I explained my attitude to him and talked to him, as I am expressing it to you here now, that fishing regulations should be removed during the period of the war, at least. Let us get together and produce food.

Dr. SMITH. You have spoken of the matter of bounties. What is your idea of Canadian bounties?

Capt. PEEPLES. A bounty is a thing I am more familiar with in Newfoundland than in Canada.

Mr. FOUND. On fishing vessels?

Capt. PEEPLES. Yes, sir; \$50 and over, according to the size of the vessel. If you want to build a vessel, start it in a shipyard; the Government guarantees 7 per cent on your investment and free entry for all machinery you install. There are ship plants in Newfoundland operating to-day on those lines.

### CANADIAN BOUNTIES.

Chief Justice HAZEN. I would like to explain what the Canadian bounty is, as long as the matter of bounty has been brought up. There is no bounty in Canada on the catch of fish, as in France. The Canadian bounty dates from about the year 1875 or 1876—along in the 70's. After the abrogation of the treaty of Washington in 1885, claims were made both ways in regard to damages that had been done to the English fisheries, and the result was that an arbitration was entered into between Great Britain and the United States.

The result was that the United States paid to Great Britain \$5,500,000, which was the award of the arbitrators. Of that \$5,500,000, \$1,500,000 went to the Government of Newfoundland, and they took it and used it for the ordinary purposes of the colony. Four million dollars came to the Dominion of Canada, and the Parliament of Canada thought it was desirable to set that aside in some way for the benefit of the fishermen of the country, as it was an award for injury done to the fisheries by the American vessels. That money was accordingly funded, and every year since bounties amounting to 4 per cent on that amount have been paid, amounting to \$160,000, under the provisions of an act declared to be for the benefit of deep-sea fishermen and the encouragement of fishing vessels. It is divided among the vessels and the men doing the inshore and deep-sea fishing. No vessel can get more than \$80. What is paid to fishing vessels is \$1 a ton up to 80 tons, and then it ceases. That is the maximum amount that any vessel can get in one year. Each boat gets the sum of \$1, at least, every year. The men working on vessels have got amounts averaging, depending on the men engaged, from \$5.15 a year up to, I think, \$6.50 a year, and the boat fishermen have received sums running from about \$3.50 up to something around \$5. As a matter of fact, it has not had the effect intended. The amounts have been very small and have not resulted in any encouragement of the industry. No vessel owner regards \$80 as a sufficient sum. So it has not had the result intended, has not encouraged the deep-sea fisheries, has not encouraged the build-

ing of vessels, and to-day there is considerable discussion as to the advisability of abolishing the whole thing and using the money for scientific work in connection with the fisheries, or something of the sort.

**FURTHER STATEMENT BY MR. FREDERICK L. DAVIS, PRESIDENT  
GLOUCESTER BOARD OF TRADE.**

Mr. DAVIS. Mr. Chairman, it would appear from the remarks that have been made here that our vessels—schooners, or however propelled—on the west coast are allowed to do what is not allowed on the Atlantic coast. For instance, it appears that a Nova Scotia vessel, a provincial vessel, can not now go from an American port to the fishing grounds without first going to its home port, and that it can do so on the Pacific coast. Is that correct?

Secretary REDFIELD. Yes.

Mr. DAVIS. I understand that on the west coast Canada gives American boats entries to its harbors free without any license, and that they do not discriminate as to whether they are sailing, steam, or any other kind of vessel.

Chief Justice HAZEN. They have to take out a license, but there is no discrimination between sail or steam vessels.

Secretary REDFIELD. The situation that prevails on the Pacific coast is this, that everything there is just the reverse of what it is here. American vessels are invited, and some of the Seattle people think are almost compelled—at least, they so understand it, and we are going to find out whether their views are right or not—to enter the port of Prince Rupert; whereas, on the other hand, we require a Canadian vessel passing through the inland waters to enter the port of Ketchikan, from which port the halibut vessels clear for whatever port they see fit, and go direct to the fishing grounds without making any other port. I understand that that has been done for a great many years.

Mr. DAVIS. It seems very funny that such should be the case, with the law on both sides one way.

Secretary REDFIELD. That is one of the reasons why we are here.

Mr. DAVIS. I would also like to say a word at this time in regard to whiting. The Gloucester people at one time did considerable business with whiting, but the thing had an unsatisfactory wind-up. We tried to create a sale for the fish, but owing to change of name in connection with the food law we were fined in many cases and our goods thrown away, and quite a lot went over to the Russia Cement Co. for glue. So we have been rather delicate about touching that commodity for the last two or three years. There was a pretty heavy loss, having our goods seized, and fined, with the result that we had to practically throw them away. That was on account of the name that we gave them, under the law.

Secretary REDFIELD. What did you call them?

Mr. DAVIS. Ocean white fish.

Secretary REDFIELD. You should have had the Bureau of Fisheries give them that title, and then you would have been free. They have a right to fix the official title, but you proceeded without getting that authority.

Mr. DAVIS. Yes; I see that they took the "dog" off and put the "gray" on the dogfish.



Dr. SMITH. You want to cooperate with us after this.

Mr. DAVIS. After we got hurt a little we were delicate about taking the matter up.

Secretary REDFIELD. Do you know what the sharing system is in your port on fishing vessels?

Mr. DAVIS. Different rates—quarter, fifth, and half lay.

Secretary REDFIELD. Describe what you mean by a quarter lay.

Mr. DAVIS. The vessel takes 25 per cent of the stock, and from the other 75 per cent the expenses of the voyage are paid and the crew shares the balance, what is remaining.

Secretary REDFIELD. Shares equally?

Mr. DAVIS. Shares equally.

Secretary REDFIELD. Where do the officers come in?

Mr. DAVIS. An officer gets a certain percentage out of the vessel's quarter.

Secretary REDFIELD. Is the cook hired?

Mr. DAVIS. No; the cook in some cases gets a little extra compensation.

Mr. FOUND. The cook is paid by the crew.

Mr. DAVIS. Of course some cooks get about \$10 a trip or perhaps \$20 a trip, but that comes out of the trip, out of the stock.

Secretary REDFIELD. How are supplies furnished?

Mr. DAVIS. By the crew; buy their own.

Secretary REDFIELD. When you speak of a fifth lay, what is the difference?

Mr. DAVIS. Practically the same, except that the vessel takes a fifth and the crew finds everything in the grub line.

Secretary REDFIELD. Is it the same with other kinds of lays?

Mr. DAVIS. Half lays are different. The vessel takes half and the crew the other half. The vessel in that case furnishes the supplies and fishing gear.

Mr. FOUND. And the deductions from the crew are the same in each instance? You have on this side a certain proportion of the percentage of deduction from the crew.

Mr. CARROLL. I presume he means for the gear. That was what was fought out last spring in the strike here.

Mr. FOUND. Yes; that is the gear question.

Mr. CARROLL. That is practically settled now.

Mr. FOUND. The captain finds the gear, and the upkeep of the gear is in the gross stock.

Mr. DAVIS. One thing should be cleared up, and that is that out of this quarter that the vessel has the vessel has to pay one-quarter of all lost gear. It has to come out of the vessel. The vessel doesn't get a clear quarter. Also there are certain port expenses that the vessel has to pay and other bills that come in. Last spring we had a strike here and changed our law on this. This gear question has been quite troublesome in many cases and has detracted from the vessel's earning power, because in many cases they lose a good deal of gear. I had a vessel the other day where it cost \$600 or \$700 right out.

Secretary REDFIELD. What is the present arrangement since the strike was settled?

Mr. DAVIS. That out of the quarter which the vessel is supposed to take she has to bear one-quarter of the lost gear. In other words,

the lost gear is taken from the total stock before the division is made, and on those divisions, of course, she has to pay one-quarter, and that deduction is onerous in many cases.

Mr. FOUND. For what reason do they have a fourth in one instance and a fifth in another?

Mr. CARROLL. That is a proposition that goes back a great many years. In the old days, first they changed over from halves to quarters, and a large vessel took a quarter of the gross stock. Then they started in with small, inexpensive vessels fishing along the shore, not costing as much as the big ones, and it was mutually agreed at that time in the case of a vessel of that size that the vessel, instead of taking 25 per cent, should take 20 per cent. There is the difference between the fifth and fourth lays. But of late years vessels have grown large, and the most expensive vessels to-day are on fifths. But the same divisions obtain as in those days.

Secretary REDFIELD. Why have a half lay in certain cases?

Mr. CARROLL. That was the original law, the old 50 per cent spoken of before. In the old days they fitted out a vessel to go fishing and the owners furnished the vessel and everything necessary for a successful voyage.

Chief Justice HAZEN. Furnished the food rations?

Mr. CARROLL. Yes, sir; and the same thing was done in Nova Scotia. That was a part of the expense of the voyage. That is so to-day on some fishing vessels, and on some others they expect extras. Some men like to live a little higher than the owners thought they should in the old days, and buy some high-priced canned goods, which are considered extras. That comes out of the crews. That is the only deduction. That is the only part, on the halves, that they pay for.

Secretary REDFIELD. So that these three lays are to-day in vogue?

Mr. CARROLL. Yes—fifths, fourths, and halves.

Mr. DAVIS. Relative to this gear, on the quarter-lay proposition, before the strike last year the captain bought and owned the gear, and the crew paid 10 per cent for the use of the gear. Now that is changed. The owner of the vessel or the captain has to own his gear himself, and he can not charge 10 per cent. So the vessel now has added that extra cost of from \$1,000 to \$2,000 or \$2,500 extra as an investment, which before was carried by the crew. I hope, if you are making records here, that you will get this in, because it changes the matter entirely.

Secretary REDFIELD. We are very glad to have your statements.

The hearing was adjourned at 12.45 o'clock p. m. to 2 o'clock p. m.

#### AFTERNOON SESSION.

The hearing was resumed at 2.10 o'clock p. m., Secretary Redfield presiding.

#### STATEMENT BY CAPT. BENJAMIN A. SMITH, VESSEL MANAGER GORTON-PEIR FISHERIES CO., GLOUCESTER.

Secretary REDFIELD. Capt. Smith, can we get some information from you in regard to this matter? What is your business?

Capt. SMITH. Producing fish; managing vessels.

Secretary REDFIELD. How long have you been in the business of managing vessels?

Capt. SMITH. Since 1883, 1884, and upwards.

Secretary REDFIELD. How many vessels have you under your management now?

Capt. SMITH. About 50, directly. We may have about 25 or 30 that we own, through captains who manage them, in the Portuguese fleet, but they never come to me unless they get into trouble.

Secretary REDFIELD. What classes of vessels are these?

Capt. SMITH. Fishing vessels, the ordinary fishing vessels, all sizes.

Secretary REDFIELD. Are there different types?

Capt. SMITH. Yes, sir; all types.

Secretary REDFIELD. All kinds of fishing vessels?

Capt. SMITH. All kinds of fishing vessels.

Secretary REDFIELD. I want to ask you what, in your judgment, would be the effect upon the Gloucester fishing fleet if Canada were to suspend her *modus vivendi* and if it became necessary under those circumstances to proceed under the treaty of 1818?

Capt. SMITH. I wouldn't want to manage any fleet of vessels.

Secretary REDFIELD. Why not?

Capt. SMITH. Oh, we would be up against it. Our shore fisheries here would be operated all right, the same as the Portuguese fleets, and our seining fleet would operate all right except the cape shore fleet. It would handicap us, of course, considerably if we couldn't get certain supplies and ship men in the provincial ports. I think the same thing would happen that has happened in Newfoundland in the last few years. We all know what has happened in regard to the bank fisheries. We know where our banker fleet has gone since we were not allowed to ship men and enjoy the privileges of Newfoundland the same as we used to years ago.

Secretary REDFIELD. Do you wish the commission to understand, then, that if we were obliged by the action of the Canadian Government to operate under the only treaty there now is, the effect would, in your judgment, be more or less disastrous to the Gloucester fleet?

Capt. SMITH. I do.

Secretary REDFIELD. Are you aware that the present condition under which we have operated our fleets, our fishing fleets, in this country as regards Canada is a temporary condition?

Capt. SMITH. Yes, sir; I understand it so.

Secretary REDFIELD. One that it is within the lawful power of the Canadian Government at any time to stop?

Capt. SMITH. Yes, sir; I so understand.

Secretary REDFIELD. Are you aware that there are interests in Canada which are more or less annually bringing pressure upon their Government to stop the present situation?

Capt. SMITH. Yes, sir; I understand that.

Secretary REDFIELD. Now, as a business man having interests in the fisheries affected by that condition, do you think it sound judgment to allow that condition to continue if it can be avoided?

Capt. SMITH. No, sir; I do not. I would like to see it changed.

Secretary REDFIELD. In what respect would you like to see it changed, Captain?



Capt. SMITH. I would like to see it so that our vessels can go down there and enjoy the privileges that their vessels enjoy. I would like to see it so that there is no discrimination between any vessels. For several years I have tried to get licenses for the auxiliary vessels, and I have tried all kinds of things. I have often got a license for a vessel the first year and then installed an engine in it later in the year, and have tried to see if that vessel couldn't carry on the fishing it was engaged in, the trawl fishing, without going into the Canadian ports. That is a strong desire at present. But we had to give up the license, of course, right after we installed the engine, and what happened to her would happen to any vessel that didn't have a license in that kind of fishing. Of course, we can get by on the mackerel fishing, and can get by on our shore fisheries, if we can take all the supplies we need here and go to the near banks, or as far as Quéro, which they do. But that is carrying on the business on a small scale, and we ought to carry it on on a broader scale.

Secretary REDFIELD. Is there, in your judgment, a possibility of increasing the demand for fish?

Capt. SMITH. Yes, sir.

Secretary REDFIELD. For food?

Capt. SMITH. Yes, sir.

Secretary REDFIELD. Do you regard the market for fish food in the United States as in any degree a saturated market?

Capt. SMITH. No, sir.

Secretary REDFIELD. From your experience, is it or is it not a fact that the market for fish in the United States is one that has been but partly exploited?

Capt. SMITH. It has been exploited in a very small way. That is my opinion. I think there are great possibilities in the fish business, only it requires some large people to take hold of it and make it the business that it ought to be.

Secretary REDFIELD. What is necessary to be done, in your judgment, to make it the large business that it ought to be? Well, let me leave that for a moment. Have you a proper equipment of refrigerator cars for handling fish?

Capt. SMITH. No, sir; I don't know about that. I am not in the fresh-fish business, but I know that the fresh-fish people have not the facilities for shipping that they have for meats and fruit, although I am not interested in that business.

Secretary REDFIELD. But I take it that you have dealers in meat in Gloucester who receive their fresh meat in refrigerator cars?

Capt. SMITH. Yes, sir.

Chairman REDFIELD. And the sight of a meat car is a common sight in every town, is it not, in every railroad yard?

Capt. SMITH. Yes, sir.

Chairman REDFIELD. A car built and designed to carry meat—have you ever seen cars of that character for carrying fish?

Capt. SMITH. No, sir; I have not.

Secretary REDFIELD. Do you know anybody that ever did see one?

Capt. SMITH. No; I don't.

Secretary REDFIELD. Do you know what means of transporting lake fish the Booth Fisheries Co. use from Chicago?

Capt. SMITH. No, sir.

Secretary REDFIELD. Whether they have followed the example of the packers, adopting similar means for transporting fresh fish?

Capt. SMITH. I don't know. I presume they would, because they are a large company and can do that in time if they are not doing it now.

Secretary REDFIELD. If Canada were willing to make arrangements with the United States whereby the vessels of both countries should be, so far as customs and navigation laws are concerned, upon an equality, what would you say should be done by the Canadian authorities to bring that about?

Capt. SMITH. You mean what they would give up to us?

Secretary REDFIELD. Yes.

Capt. SMITH. One of the things that Gloucester would like to have, of course, would be free entries into their ports and the same conditions and the same privileges that their vessels have and enjoy more privileges than we do by the *modus vivendi* now. Take, for instance, the mending of nets. A seiner, for instance, goes down on the cape shore and may get a school of mackerel 4 or 5 miles off and may get a seine torn. It would be very nice if it could go into a harbor and mend that. It would not be doing any harm to anybody if it anchored there and mended the net. They are prohibited now from doing that.

Secretary REDFIELD. You mean that a motor vessel is so prohibited?

Capt. SMITH. No; a sailing vessel.

Secretary REDFIELD. A sailing vessel is also prohibited?

Capt. SMITH. Yes, sir; there may be two or three privileges of that kind which would be very beneficial to us in certain cases; that is, in cases where a vessel met with an accident it might break up the trip. You might have to go home without a full trip, providing she wasn't allowed to go in there and buy some little supplies or mend the seine or salt the mackerel. I have heard that spoken of several times in the last few years; that it would be very beneficial for us.

Secretary REDFIELD. Is there, in your judgment, reason to fear that if the vessels of both countries were put on an equality, each in the ports of the other, the business of fishing would be as a result transferred to the Canadian ports?

Capt. SMITH. I think one of the most serious things is going to be the manning of the vessels. I don't know where we are going to get the crews. I think it may be that the crews will stay at home and go in the Nova Scotia vessels rather than come up here and go in our vessels, as they have been doing in the past. Personally, I believe that that is one of the greatest drawbacks we are going to have, although it may change after the war, getting men to man our vessels. We depend on Nova Scotia and Newfoundland for a lot of men, and if they can do just as well shipping in vessels down there as they can by coming here, they are apt to stay there, and of course that is going to be a drawback to the fishing vessels here, getting crews here. On the other hand, there may be plenty.

Secretary REDFIELD. The fishing industry, I take it, like every other industry, must get men and pay them in competition with every other employer of every kind, must it not?

Capt. SMITH. Yes, sir.

Secretary REDFIELD. That does not apply simply to the employment of fishermen, but to the employment of all men?

Capt. SMITH. In the last few years the fishermen have done very well, and I don't believe we will be bothered much in getting men as long as present prices obtain. Of course the prices here have been very high and exorbitant prices to pay for fish, although the prices in Nova Scotia last year were as high as they were here, and in many cases higher. I have lost two or three of our prominent captains, who have notified me this year that they were not coming up here, that they were going to fish out of Lunenburg, and the only reason they gave was because they couldn't get crews to come across. But they take vessels down there and get crews.

Secretary REDFIELD. Why do they do that?

Capt. SMITH. They can get crews there to go with them, and they can not get the crews from Nova Scotia to come over here. I presume the reason down there was that the fishermen down there did so well last year. They did as well or better than they did here.

Secretary REDFIELD. Would it come within your department of your business to consider the relations of the meat supply of the country to the fishing trade?

Capt. SMITH. In what respect?

Secretary REDFIELD. As to whether the falling off in the meat supply of this country and other countries has been so great as to require a large increase in the amount of fish food eaten?

Capt. SMITH. That is so; yes, sir.

Secretary REDFIELD. That is a fact?

Capt. SMITH. I think so; yes, sir.

Secretary REDFIELD. In considering the question of after the war, do you give any consideration to the length of time it would take in a country like Great Britain, for example, to restore the balance of the meat supply to what it was before the war?

Capt. SMITH. Well, I have an idea that it will take four or five years or more under the conditions that exist.

Secretary REDFIELD. Would it surprise you, Capt. Smith, if I told you that the meat supply of Great Britain, together with that of Continental Europe, has been depleted to such an extent that it would take 30 years to restore it to its normal condition?

Capt. SMITH. No, sir; I wouldn't be surprised to hear it.

Secretary REDFIELD. Mr. Robertson, is that a correct statement?

Mr. ROBERTSON. I would be sorry to make it as a correct statement, Mr. Secretary, but it is a very well-known fact that the herds furnishing the meat supply of the whole continent of Europe have been killed off to such an extent that it will take a very considerable time to replace them, and in the interval the peoples of the world will have to depend on some other form of nourishment.

Secretary REDFIELD. Has there ever, to your knowledge, Capt. Smith, been a condition where the facts surrounding the fishing industry have been similar to those which exist to-day?

Capt. SMITH. No, sir.

Secretary REDFIELD. Do you think it is a condition from which we can reason safely from past experience to the future?



Capt. SMITH. Oh, I think the demand for fish is going to be increasing so that it will be much greater than it ever was before, now that the Government has taken hold of the thing together with Canada and is attempting to speed the business up, producing as much fish as is required. Personally, I never saw enough.

Secretary REDFIELD. You never saw enough?

Capt. SMITH. No. I might see enough in Gloucester for a few months, but I mean, looking ahead for six months or a year. Now, with our cold storage, it is different from what it was. I can remember times when I saw cargoes of the finest kind of frozen fish dumped outside the harbor here. We don't see those conditions now, and never will again. Cold storage has taken care of that.

Mr. SWEET. Capt. Smith, have you with you or where we can get it for our inspection one of those licenses that have been issued by the Canadian Government under the *modus vivendi*?

Capt. SMITH. I think I could; yes, sir. I have one.

Mr. SWEET. Before we go away, could you let us see one of them?

Capt. SMITH. Yes.

Mr. SWEET. Oh, you have one?

Capt. SMITH. Yes. [Handing license to commission.]

Secretary REDFIELD. I hold in my hand license No. 226, issued to the master of the United States fishing vessel *Aethusa*. This is identified by the superintendent of fisheries of Canada as being a Canadian license, and it calls for the payment of \$160.50 for the annual license. If there is no objection, a copy of this license will be made and inserted in the minutes as a part of the record in this case.

(A copy of the license referred to will be found at the close of Capt. Smith's statement [225]).

Dr. SMITH. I would like to ask, Capt. Smith, what proportion of the offshore fishing fleet of Gloucester is now propelled by auxiliary power and is, therefore, unable to avail itself of the privileges of the Canadian ports under the *modus vivendi* license?

Capt. SMITH. It would be pretty hard for me to say. I should say, perhaps, a quarter. They are installing them fast every day. Probably a dozen vessels to-day are having engines installed in them that didn't have engines last year. So it is increasing fast.

Mr. FOUND. I would merely like to ask one question. I would like to ask if Capt. Smith has given any consideration to the gross time that would probably be saved, which could then be devoted to fishing, by the entire New England fleet if they had available to them the port privileges of which he is speaking? Do you understand what I mean, Captain? They now have to come up at times with a broken trip, and because of other things. What would it mean in the aggregate if there was no such loss of time in the extra quantity of fish that would be produced?

Capt. SMITH. There is a question in my mind whether there would be any loss of time. I think we would lose as much time in our ports as we would gain by going in there. One would offset the other. I don't think that is any consideration.

Mr. FOUND. I don't know as you get my meaning, or what I wanted to get at. At the present time the licenses are available for a very

small portion of the fleet. Now, providing that the privileges covered by the licenses, or such other privileges as might ultimately be decided upon, were available so that vessels could for any purposes needed go to port and get right back to the fishing grounds, whether in the aggregate of a season's work it would not save considerable time to them that could be devoted to fishing?

Capt. SMITH. I don't know. I can not see where there would be much time saved.

Mr. FOUND. Providing a vessel is fishing off Quero bank or any of these fairly eastern banks and meets with bad weather such as would make it necessary for her to go to port, if she could go to Canso or Lunenburg, and could then go right back to the banks, wouldn't there be a good deal of time saved as compared with her having to go back to Gloucester and then go to the banks?

Capt. SMITH. It would save the broken trip.

Mr. FOUND. That is what I was getting at—provided all vessels could do that freely at any time, that conditions would make it desirable for them to do it, what in the aggregate would it save for the fleet, how much fish?

Capt. SMITH. That would be hard for me to say.

Mr. FOUND. That is a very important matter.

Mr. SWEET. Capt. Smith, when you said "one-quarter," you meant that one-quarter of the fishing vessels are propelled by sail and three-quarters by other power?

Capt. SMITH. No; I spoke about the offshore fishermen. I wasn't considering the sailers at all; I wasn't considering the bankers. None of the salt fish Grand Bankers have any power. I was considering what we call the offshore haddock.

Dr. SMITH. My question had reference to all vessels that under any circumstances would have occasion to resort to Canadian ports, including mackerel vessels, cape shore salt fishermen, as well as fresh.

Capt. SMITH. A lot of our vessels don't have occasion to go to Canadian ports.

Dr. SMITH. They fish on the shores of Nova Scotia?

Capt. SMITH. Yes.

Dr. SMITH. Never eastward?

Capt. SMITH. As far as Quero in the summer time. A good many of them take supplies here and go out and back home again. I understood you to ask about what proportion of the vessels are equipped with auxiliary power?

Dr. SMITH. Yes.

Capt. SMITH. I think I am safe in saying 40 per cent; and in only a short time it will be 50 per cent, because they are installing them fast.

Mr. SWEET. When you speak of auxiliary power do you include steam vessels?

Capt. SMITH. No.

Mr. SWEET. You mean sailing vessels with gasoline to help them?

Capt. SMITH. Yes, sir.

Mr. SWEET. Now, how many are steam vessels?

Capt. SMITH. We have some small boats fishing on the shore here—small steamers, converted yachts, and have two beam trawlers, which are steam vessels, out here.

Mr. FOUND. In the fiscal year 1915-16 the record says there were 230 different United States vessels that called at Canadian ports, making an aggregate number of 1,633 calls.

Secretary REDFIELD. Seven calls to each vessel.

Mr. SWEET. Those were sailing vessels?

Mr. FOUND. All United States fishing vessels.

(Following is a copy of the license for the *Arcthusa*, submitted by Capt. Smith:)

CANADIAN LICENSE TO UNITED STATES FISHING VESSELS (NO. 226).

[Original for issue to vessel. Dominion of Canada. License to United States fishing vessels, 1917.]

Claton Mounsey, master of the United States fishing vessel *Arcthusa*, 107 tons register, of Gloucester, Mass., having paid to the undersigned, at the port of Amherst, Magdum Island, the sum of \$160.50, being \$1.50 per registered ton, the privilege is hereby granted to said fishing vessel to enter the bays and harbors of the Atlantic coasts of Canada, for the purchase of bait, ice, seines, lines, and all other supplies and outfits, the transshipment of catch, and the shipping of crews.

This license shall continue in force for the year 1917 and is issued in pursuance of section 3 of chapter 47 of the Revised Statutes of Canada of 1906.

This license, while conferring the above-mentioned privileges, does not dispense with a due observance by the holder, or any other persons, of the laws of Canada, and will become null and void, and forfeited forthwith, and the vessel will become ineligible to obtain a license in future if any of the goods or supplies or other advantages obtained hereunder are sold or transferred to any United States fishing vessel that has not obtained a license.

Vessels propelled by steam, steam auxiliary, or by any motive power other than sails, are not eligible for this license.

Dated this 4th day of May, A. D. 1917.

G. J. DESBARATS,

*Deputy Minister of the Naval Service.*

C. F. PAMELIND,

*At the port of Amherst, M. I.*

(Appended were harbor master's and customs receipts and clearance labels and authorities for departure.)

STATEMENT BY CAPT. ELROY PRIOR, OF GLOUCESTER.

Secretary REDFIELD. Gentlemen, the commission would be very glad to hear, without calling upon them especially, from anybody who desires to say anything on the general subject. [Pause.] Is Capt. Elroy Prior present?

Capt. PRIOR. I am. If you will excuse me, I don't care to have anything to say.

Secretary REDFIELD. Do you want to make a statement to us, Captain?

Capt. PRIOR. I don't think so.

Secretary REDFIELD. You are a practical fisherman, are you not?

Capt. PRIOR. I am.

Secretary REDFIELD. Capt. Prior, won't you permit the commission to ask you a few questions, please?

Capt. PRIOR. I shall try to do my best.

Secretary REDFIELD. Angels can do no more than that.



Capt. PRIOR. It is hard to tell what a man can do until he gets started.

Secretary REDFIELD. Is the vessel that you command a vessel with auxiliary power?

Capt. PRIOR. Yes, sir; she is.

Secretary REDFIELD. Would it be an advantage to you in your fishing to have free entry into the Canadian ports?

Capt. PRIOR. Well, I think it would be, to a certain extent.

Secretary REDFIELD. You are aware, are you not, that the present privileges granted by license are privileges which, under the existing treaty with Great Britain, can at any time be removed? You know that to be the fact, do you not?

Capt. PRIOR. Yes, sir.

Secretary REDFIELD. And that, therefore, the present condition is on a purely temporary basis, renewed from year to year. You know that to be so?

Capt. PRIOR. I understand that.

Secretary REDFIELD. Now, for what purposes would you enter Canadian ports if you were permitted to do so?

Capt. PRIOR. To get free bait, free privileges.

Secretary REDFIELD. Would you find it an advantage to do so under the present license law if it were extended to your vessel at the current rate of \$1.50 per rebistered ton?

Capt. PRIOR. I think so.

Secretary REDFIELD. Then, am I correct in understanding that if that \$1.50 a ton were taken away entirely and there was a nominal charge of \$1 per vessel per year, merely, it would be still more valuable?

Capt. PRIOR. Will you inform me what that \$1 a year means; why it should be on there?

Secretary REDFIELD. I don't know that I can, except that it is merely a nominal rate.

Capt. PRIOR. Well, does it merely mean that the Canadian Government wishes to charge us a license?

Secretary REDFIELD. I am not sure. Perhaps Chief Justice Hazen can tell. I don't know whether that is required by the treaty or not.

Chief Justice HAZEN. It may be necessary in order to maintain the integrity of the treaty. Capt. Prior will see that it is no source of revenue to us.

Capt. PRIOR. Of course, it is not a heavy expense, and will not break the owners of the vessels, nor will it make the Canadian Government rich.

Secretary REDFIELD. My own understanding is that it is simply to comply with a technicality of the treaty.

Capt. PRIOR. I suppose so.

Secretary REDFIELD. Just as it is customary in this good city and elsewhere in selling land to put into the deed "for \$1 and other good and valuable considerations," which are not expressed. I wish you would be kind enough to say, Captain, how you would regard a return privilege in exchange, let us say, or in part exchange for this proposed concession on the part of Canada to us, of granting them the right to come direct from the fishing grounds into our ports and vice versa.

Capt. PRIOR. Well, I suppose it would be some benefit to them, of course. When we got free salt fish in Gloucester we thought we would starve to death inside of two years. I don't believe anybody has died of hunger yet. I know I have made more money the last two years than ever before, and I guess all the other vessels have done pretty much the same. So it might turn out to be the same with fresh fish, vessels entering and clearing. I understand that is about all they want now.

Secretary REDFIELD. That is, in substance, the proposition. Are you aware that that very thing has been the practice in American ports, that so far from permitting it we have required it in our own ports on the west coast? Has that ever been called to your attention, Captain?

Capt. PRIOR. It has.

Secretary REDFIELD. And do you happen to know whether under those circumstances the American fishery on the west coast has grown?

Capt. PRIOR. I presume it has.

Secretary REDFIELD. The major part of our halibut supply comes from the Pacific coast, does it not, now?

Capt. PRIOR. I think it does; yes, sir.

Chief Justice HAZEN. Capt. Prior, were you here this morning when Mr. Carroll made a statement about a fifty-fifty basis?

Capt. PRIOR. I was.

Chief Justice HAZEN. If Canada were to admit all United States fishing vessels irrespective of how they are propelled to the privileges of Canadian ports, with a license at a nominal amount or without a license, and in return for that the United States was to allow Canadian fishing vessels to come directly from the fishing grounds to Boston or to any New England port to dispose of its catch and to clear from those ports again directly for the fishing grounds, wouldn't that, in your opinion, be a fifty-fifty basis?

Capt. PRIOR. Well, I think it would be pretty near it; yes, sir.

Secretary REDFIELD. What else would you like Canada to do to help out, if we wanted to get to a general working, satisfactory, comfortable agreement? If that were supposed to be possible, what else would you like to have done, Captain?

Capt. PRIOR. I don't see that we are asking for any more than she is giving now. She is giving everything we have asked for, giving us something we tried to get a year or two ago. We tried to get a license for motor vessels, working here a week on it.

Secretary REDFIELD. Let us assume that our friends from Canada—and we are sure that this is their attitude from our experience with them in connection with this conference—want to wipe out, if possible, all causes of friction and difficulty that have existed for so many, many years; I think they would be sincerely grateful to you and others here who will say what the things are. Perhaps they may be the little things, perhaps the things that the men on the vessels talk about, that bothers them, but that they don't care to make public. Now, looking at the matter in that way, what else is there that should be done to make things perfectly comfortable?

Capt. PRIOR. Well, I am sure I could not exactly explain it to you that I know of at the present time.

Secretary REDFIELD. Thank you very much, Capt. Prior. I am sure you have helped us very much. Is Capt. Lemuel E. Firth in the room? [No response.] Is Mr. Alexander J. Chisholm here?

Mr. CHISHOLM. Yes, sir.

**STATEMENT BY MR. ALEXANDER J. CHISHOLM, FISH PRODUCER,  
GLOUCESTER.**

Secretary REDFIELD. What is your full name?

Mr. CHISHOLM. Alexander J. Chisholm.

Secretary REDFIELD. And what is your business?

Mr. CHISHOLM. Administrator of the estate of John G. Chisholm.

Secretary REDFIELD. And what is the business carried on by the estate?

Mr. CHISHOLM. Fish producing.

Secretary REDFIELD. And how many vessels do you operate?

Mr. CHISHOLM. Own control in five.

Secretary REDFIELD. And are these motor vessels?

Mr. CHISHOLM. Yes, sir; three of them are.

Secretary REDFIELD. And two are not?

Mr. CHISHOLM. Two are not.

Secretary REDFIELD. And do the two have Canadian licenses?

Mr. CHISHOLM. Yes, sir.

Secretary REDFIELD. Would you like to have Canadian licenses for the other three?

Mr. CHISHOLM. Certainly.

Secretary REDFIELD. If you could get them you think they would be worth paying for at the present rate?

Mr. CHISHOLM. Yes, sir.

Secretary REDFIELD. Why?

Mr. CHISHOLM. Why, we would have the privilege of going in there and securing men and supplies.

Secretary REDFIELD. Would you buy bait there?

Mr. CHISHOLM. Yes, sir.

Secretary REDFIELD. Then, do I understand you correctly that if, according to the suggestion made by the Canadian commissioners, this tax might be removed and a nominal charge of a dollar a year substituted for it, that privilege would be still more valuable to you?

Mr. CHISHOLM. Yes, sir.

Secretary REDFIELD. Now, do you consider, as vessel owners, that it would be harmful to you if, as part of a general arrangement of which the license and the reduced fee was a feature, Canadian vessels were permitted to come directly from the fishing banks to our ports and go directly from our ports?

Mr. CHISHOLM. Of course, there would be more or less competition, and it would be more or less harmful to us in Gloucester, of course.

Secretary REDFIELD. Why?

Mr. CHISHOLM. Why, the men mostly come from Nova Scotia to man our vessels. They naturally would stay home. They would rather fish out of their own ports than here, if they could make as much money.

Secretary REDFIELD. And your idea would be, if I understand it correctly, that under those circumstances it would be difficult to man your vessels?



Mr. CHISHOLM. I think it would be rather more difficult, yes, sir. They might not have a fleet perhaps in a year or two years that would do it, but they would build up a fleet to do it.

Secretary REDFIELD. And your thought would be that the difficulty in competition arising from your inability to get men under those circumstances might make it hard for you to continue business?

Mr. CHISHOLM. Possibly; yes, sir.

Secretary REDFIELD. Are you estimating in that on the business continuing about in its present volume?

Mr. CHISHOLM. Why, yes.

Secretary REDFIELD. As a matter of fact, however, the business has very largely grown in volume, has it not?

Mr. CHISHOLM. Yes, sir.

Secretary REDFIELD. And, as a matter of fact, is it not true that the tendency of the business is to increase in volume? Is that not so?

Mr. CHISHOLM. Yes, sir.

Secretary REDFIELD. As far as your knowledge goes, Mr. Chisholm, suppose the demand in the United States for fish of all kinds such as are caught upon the Atlantic were to increase one-half, are there vessels enough in Canada and the United States to meet the demand?

Mr. CHISHOLM. No, sir; I don't think so.

Secretary REDFIELD. Do you know of any other source than fish by which the shortage of meat in the world can be made good?

Mr. CHISHOLM. No, sir; vegetables, perhaps.

Secretary REDFIELD. Is it or is it not the fact that the Government has continually urged for some years a greater use of fish food?

Mr. CHISHOLM. Yes, sir.

Chief Justice HAZEN. Have you any idea, Mr. Chisholm, have you any knowledge of how the earnings of the Gloucester fleet and the Lunenburg fleet compared last year?

Mr. CHISHOLM. I have not seen any returns of the Lunenburg fleet for last year.

Chief Justice HAZEN. You haven't seen the returns, at all?

Mr. CHISHOLM. No, sir.

Chief Justice HAZEN. You have no knowledge of what they were?

Mr. CHISHOLM. No, sir.

Chief Justice HAZEN. Well, have you any idea what the comparative earnings of the individual fishermen would be, taking the fishermen on a schooner sailing out from Lunenburg and on a schooner sailing out from Gloucester?

Mr. CHISHOLM. I haven't heard what they were last year. As I understand it, they only settle late in the year in Lunenburg, waiting until the fish is marketed.

Chief Justice HAZEN. So you would not be able to make any comparison?

Mr. CHISHOLM. No, sir.

Chief Justice HAZEN. Now, I want to ask you practically the same question that I asked of Capt. Prior. If Canada said to you, said to the United States, "We are willing to give you admission to our ports so that you will have practically the same privileges in our ports along the Atlantic seaboard that vessels flying the British flag possess, provided you will arrange so that our vessels—that is,

Canadian vessels—can go in and out of your ports, go from the fishing grounds to your ports direct, clear from your ports to the fishing grounds direct,” would that be, in your opinion, a fair arrangement, an arrangement fair to both countries?

Mr. CHISHOLM. On a 50-50 basis?

Chief Justice HAZEN. Yes.

Mr. CHISHOLM. Well, I think it would be a little advantage to them. They would have the better market for their goods, perhaps, in this country.

Chief Justice HAZEN. You think we would have a little the advantage in that, do you?

Mr. CHISHOLM. I think so.

Chief Justice HAZEN. You think we would have the better market here?

Mr. CHISHOLM. Yes, sir.

Chief Justice HAZEN. Well, having regard to the future development of the fish industry in this country, would it be possible, do you think, for your fishermen to supply the demand?

Mr. CHISHOLM. Well, with a little different method of fishing perhaps it might be. I think in 8 or 10 years the increase would be almost up to the demand—that is to say, through fishing with beam trawlers, as I expect it will come in a few years.

Chief Justice HAZEN. You are looking to beam trawlers being used more largely in the future than they have been, aren't you?

Mr. CHISHOLM. Yes, sir.

Chief Justice HAZEN. I suppose you know that in Great Britain the supply was kept steadier there before the war by the employment of beam trawlers?

Mr. CHISHOLM. Yes, sir.

Chief Justice HAZEN. A few years ago there was a decided feeling of hostility toward the beam trawlers on the part of the people of this country, was there not?

Mr. CHISHOLM. Yes, sir.

Chief Justice HAZEN. It was contended that the beam trawler destroyed the business of the ordinary fisherman, wasn't it?

Mr. CHISHOLM. In some places, yes, sir.

Chief Justice HAZEN. Has that feeling of hostility disappeared now?

Mr. CHISHOLM. Well, it has not entirely disappeared. It is a condition that we know we have to put up with.

Chief Justice HAZEN. You feel that there will be a change in the system and that you will have to adapt yourselves to it?

Mr. CHISHOLM. Yes, sir.

Chief Justice HAZEN. If this development of beam trawlers takes place from Canadian ports and American ports it will be necessary to have a convention, will it not, for the regulation of the district in which the beam trawlers are?

Mr. CHISHOLM. Possibly.

Chief Justice HAZEN. I believe there was a North Sea convention between Great Britain, France and other nations, in regard to fishing in the North Sea, before the breaking out of the war, for the patrolling or policing of the district where the fishing was carried on, in regard to the sale of liquor and in regard to the rights of the

trawlers and their place and location; that each nation for police purposes furnished a war vessel whose duty it was to see that those regulations were enforced and carried out. Because of the thousands of trawlers there, that appeared to be necessary. That would be necessary here in the future, wouldn't it, if this beam trawling business becomes general?

Mr. CHISHOLM. I couldn't say about that.

Chief Justice HAZEN. It would seem to be a reasonable thing, however?

Mr. CHISHOLM. Might be, possibly.

Mr. FOUND. There is just one thing I would like to get at, in regard to which the chief justice asked a question, in another way. Can Mr. Chisholm state what would be the fair average earnings of a schooner fisherman from Gloucester last year?

Mr. CHISHOLM. You mean the individual fisherman?

Mr. FOUND. The fishermen on the different vessels—what would be a fair average of their earnings for 1917, for the season of 1917.

Mr. CHISHOLM. I don't know that I could say offhand. I could make a guess at it, that is all. I haven't any figures other than our own.

Mr. FOUND. What would be the approximate figure?

Mr. CHISHOLM. I should think the average would be at least \$900.

Mr. FOUND. Gross?

Mr. CHISHOLM. A man, yes.

#### STATEMENT BY CONGRESSMAN WILLFRED W. LUFKIN.

Congressman LUFKIN. Mr. Chairman, I would like to say just a word. I notice that Mr. Chisholm and several other witnesses here to-day have given their opinion that if this so-called fifty-fifty proposition should be carried into effect they were fearful that it might result in difficulty here in obtaining men. I notice that several of you gentlemen have asked the reason for that, but I have not observed that any good reason has been given, and I would like to ask Mr. Chisholm, Capt. Smith, and these other witnesses, if the reason is not that in certain sections of Nova Scotia fishing is the natural occupation of the men, of the people there, whereas fishing here is not the natural occupation of the people; and whereas those people down there would rather go fishing than do anything else, in Gloucester we would rather do anything else than go fishing?

Capt. SMITH. If you are referring to the natives, that is so.

Congressman LUFKIN. And the fishermen would prefer to go fishing from their own ports if they could make just as much money and could be treated just as well?

Capt. SMITH. Yes.

#### STATEMENT BY CAPT. FRED THOMPSON, OF GLOUCESTER.

Secretary REDFIELD. What is your name and your business, Capt. Thompson?

Capt. THOMPSON. Fred Thompson, master mariner.

Secretary REDFIELD. How long have you followed the occupation, Captain?



Capt. THOMPSON. Sixteen years.

Secretary REDFIELD. Have you operated under a license from Canadian ports?

Capt. THOMPSON. Yes, sir.

Secretary REDFIELD. Paying for it the usual rate of \$1.50 a ton?

Capt. THOMPSON. Yes, sir.

Secretary REDFIELD. Why did you find it advantageous to operate under that license, Captain?

Capt. THOMPSON. Well, useful to get our bait in the summer. That is the only reason why I have entered.

Secretary REDFIELD. Do you buy supplies in Canadian ports?

Capt. THOMPSON. Yes.

Secretary REDFIELD. And ship men in Canadian ports?

Capt. THOMPSON. Yes, sir.

Secretary REDFIELD. You have heard the suggestion that that privilege be granted to all vessels, including those with motor and with power, and that the present license fee be canceled or that a nominal charge of a dollar a year be substituted for it. Would that, in your judgment, be a real advantage to yourself and others of your craft?

Capt. THOMPSON. Well, offhand, I think it would.

Secretary REDFIELD. Would it permit a number of vessels sailing from Gloucester to utilize Canadian ports for the purposes you have used them for, whereas now they are excluded?

Capt. THOMPSON. It would.

Secretary REDFIELD. Have you any objection to putting into the record for the use of the commission the statement made by you on the 1st of February, 1918, to Mr. Henry F. Brown, stating your outlay in Canadian ports?

Capt. THOMPSON. No, sir.

Secretary REDFIELD. That, then, will be made a portion of the record.

(The statement referred to will be found at the close of the witness's statement, pp. 236-238.)

Has it been your experience that you could buy supplies or equipment more cheaply in Canadian ports than you could in American ports?

Capt. THOMPSON. Yes, sir.

Secretary REDFIELD. And have you bought them there for that reason?

Capt. THOMPSON. Well, I have—certain articles I have.

Secretary REDFIELD. Is that true of the equipment of the vessel, the working tools of the vessel, the equipment you use for fishing purposes, as well as food supplies?

Capt. THOMPSON. I think so; yes, sir.

Secretary REDFIELD. And have you bought such working equipment there for that reason?

Capt. THOMPSON. I have, several times.

Secretary REDFIELD. Now, do you think the suggestion made that we allow Canadian vessels to come directly from the banks here and go directly from here to the banks, or wherever they wish to go, in exchange for this privilege, is a fair proposition?

Capt. THOMPSON. I think it is.

Secretary REDFIELD. What else would you like to have Canada grant us in addition to what they propose?

Capt. THOMPSON. Well, I have not seriously thought this over. There might be other things that I might want to mention.

Secretary REDFIELD. Well, the privilege of cleaning fish was suggested, I think, by one of the captains. Is that a matter which you would consider?

Capt. THOMPSON. Yes; in the harbors, within the 3-mile limit.

Secretary REDFIELD. You think that would be an important thing?

Capt. THOMPSON. Well, for people in that line of business. That is not my line of business.

Secretary REDFIELD. But for the people who carry on that line of fishing, you think that would be a marked advantage?

Capt. THOMPSON. I think it would; yes, sir.

Secretary REDFIELD. And how about the privilege to people who wish it of mending their nets in Canadian waters; would that be an advantage?

Capt. THOMPSON. It would.

Secretary REDFIELD. A material advantage?

Capt. THOMPSON. Yes, sir.

Secretary REDFIELD. Is there anything else the commission would like to get at? Of course, we on the American end candidly want to know if there is something else that should be asked for, that we should know about. I am going to ask, when I get to Nova Scotia, through the courtesy of my Canadian friends, questions along that line on their side of the account. What else is there, Captain, that would make it a real, genuine, fifty-fifty deal, so that you would feel perfectly comfortable and your men contented on entering Canadian ports?

Capt. THOMPSON. Well, I don't know as I could suggest anything.

Secretary REDFIELD. Well, Captain, if there is anything you do not think of to-day, but think of later, anything of importance that occurs to you or anybody that should be included in this discussion, I hope you will be good enough to send it to me at Washington, and I shall be glad to see that it gets to the commission.

Chief Justice HAZEN. This question of permission being granted to American fishermen to clean their fish within the 3-mile limit has arisen to-day for the first time since our inquiry. I have no knowledge on the subject myself, and I am trying to acquire knowledge. I want to ask you, Captain, as a man who has had a great deal of practical experience in the fishing industry, to place yourself for a moment in the position of a Canadian, and in that position tell me if you see any injury that would be done the Canadian fishing interests if Canada granted that permission to citizens of the United States.

Capt. THOMPSON. I don't see that there can be any injury, because the Canadians wash their fish inside the 3-mile limits of their harbors, and if it would be an injury in our case their own vessels already cause the same injury.

Chief Justice HAZEN. Would it cause any injury to the fish in those waters to have this fish offal thrown in?

Capt. THOMPSON. I don't imagine so.

Chief Justice HAZEN. You can not, then, conceive of any injury it would be to Canadian fishing interests?

Capt. THOMPSON. Absolutely not.

Chief Justice HAZEN. Mr. Found calls my attention to the fact that you would be in the same position in that respect as Canadian fishermen; that our Canadian fishermen are required to deposit their offal on certain areas or on shore, not depositing it in any waters where they may happen to be; and, of course, if you are given rights in our ports you will be given exactly the same rights that our Canadian fishermen are given in that respect.

Capt. THOMPSON. Yes.

Chief Justice HAZEN. In regard to the harbors, there are certain harbors in Canada that are under the control of the Federal Government; that is, those harbors that were public harbors at the time of the federation. There are other harbors not under the control of the Federal authorities. For instance, the harbor of St. John is not under the control of the Federal authorities. The proprietors of the harbor of St. John are the common council of the city of St. John. On the other hand, the harbor of Halifax is managed by a harbor master appointed by the Federal authorities. So in talking about Canadian harbors there has to be borne in mind that there is different jurisdiction and different control. In the harbor of St. John, for instance, whether the vessels were Canadian or whatever they might be, they would be subject to the control of the local authorities and not the Federal authorities.

Secretary REDFIELD. I would like to ask the captain one more question: Of what nationality are the men who form your crews?

Capt. THOMPSON. Well, mostly Canadians.

Secretary REDFIELD. Any Portuguese?

Capt. THOMPSON. No. I hardly ever carry any Portuguese.

Secretary REDFIELD. To your knowledge, are there Portuguese who sail out of Gloucester in vessels of one kind or another in the fishing trade?

Capt. THOMPSON. Yes, sir.

Secretary REDFIELD. Any other nationalities except Canadians and Portuguese that form parts of the crews here?

Capt. THOMPSON. Yes, sir; all nationalities here except Jews. I don't know of any Jew that goes fishing.

Secretary REDFIELD. Well, the question I wanted to ask you was this: If it should become so advantageous for the residents of Nova Scotia to sail upon their own vessels that they would not come here to man Gloucester boats, is it possible to get other men—Portuguese, for example—and other men for vessels here?

Capt. THOMPSON. Well, it depends upon the immigration laws; might have to change the immigration laws.

Secretary REDFIELD. But if the immigration laws were so modified by authority of the Secretary of Labor as to permit them to come, are there or are there not other sources upon which you could draw?

Capt. THOMPSON. I think there are; yes, sir.

Secretary REDFIELD. Is it your experience that the men of these other countries who can be thus obtained are good fishermen, good seamen?

Capt. THOMPSON. They are recognized as good seamen.

Secretary REDFIELD. They are so recognized here?

Capt. THOMPSON. Yes, sir.



Secretary REDFIELD. So it is not the fact, is it, that you are dependent upon Canada for the sole supply of men?

Capt. THOMPSON. Not absolutely; no, sir.

Secretary REDFIELD. Has any effort, any definite, concerted effort, been made in Gloucester to obtain American men within the last five years?

Capt. THOMPSON. I don't think so; no, sir.

Secretary REDFIELD. Do you know from what locality the United States Navy draws the largest part of its men?

Capt. THOMPSON. I don't know exactly the locality, sir; but I know they are all American citizens.

Secretary REDFIELD. Have you been told that the United States Navy draws the largest part of its seamen from the Mississippi Valley?

Capt. THOMPSON. I haven't understood that; no, sir.

Secretary REDFIELD. And that they have formed a training school for the purpose of instructing young men from the interior States for naval service?

Capt. THOMPSON. No, sir.

Secretary REDFIELD. Has anything ever been attempted by the fishing interests of Gloucester looking toward the formation of a native body of men to man their ships?

Capt. THOMPSON. No, sir; not to my knowledge.

Secretary REDFIELD. If the fishing business grows to the extent that it has been testified to the commission is possible, in order to make up for the greatly lowered meat supply of the country, and if the prices of fish are well maintained through a period of years, is the occupation one that could be, in your judgment as a **mariner**, made attractive to the right kind of American boy?

Capt. THOMPSON. I think so.

Secretary REDFIELD. Would you favor as a mariner steps being taken by the fishing interests or by the country looking toward the training of American boys for that work?

Capt. THOMPSON. I would.

Secretary REDFIELD. Would it be correct to say that you were dependent upon Canada for a supply of men until after that experiment has been tried and has failed?

Capt. THOMPSON. No, sir.

Secretary REDFIELD. It would not, would it? And, to your knowledge, the experiment has never been tried.

Capt. THOMPSON. Has never been tried.

Dr. SMITH. Captain, I would like to ask you just one question. What countries did you have in mind when you said there were other countries upon which you might draw for your crews for your fishing vessel?

Capt. THOMPSON. I had in mind Portugal.

Dr. SMITH. But you had already mentioned the Portuguese and Canadians. What other countries?

Capt. THOMPSON. Used to have Scandinavians come here.

Dr. SMITH. Are they excluded now by the immigration laws?

Capt. THOMPSON. I don't think they are excluded. I don't think the law covers Scandinavians.

Secretary REDFIELD. You are a Scandinavian, yourself?

Capt. THOMPSON. Yes, sir.

Mr. FOUND. Do you mind telling the commission what the average earnings of the fishermen on your vessels were in 1917?

Capt. THOMPSON. Well, I didn't complete the whole season this year myself, but the earnings were large, as I understand. I think they reached in the neighborhood of between \$1,500 and \$2,000. That is simply a guess. I don't think it would go much better than that, but somewhere in that neighborhood.

Dr. SMITH. How does that compare with years before the present industrial situation developed, when there is such a marked demand for fish of all kinds and prices have ruled high? How would the earnings in 1917 compare with those in 1913, say?

Capt. THOMPSON. Oh, wouldn't be any comparison. This past year would double 1913.

The following information regarding the expenses of fishing vessels was submitted to the conference during the course of the hearing.

GLOUCESTER, February 1, 1918.

MR. HENRY F. BROWN.

DEAR SIR: Money expended by me for bait, etc., on four different fishing trips, year 1917, in Nova Scotia, parts of which I have record of, is given below, as follows: Bait, \$1,044.80; groceries, \$123.50; ice, \$86.75; fishhooks, \$235; total, \$1,490.05.

Respectfully, yours,

FRED THOMPSON.

GLOUCESTER MASS., January 29, 1918.

MR. HENRY F. BROWN, *City*.

DEAR SIR: The *Esperanto* is the only vessel we had last year with a Canadian license. As far as I can see we spent about \$800 for bait, ice \$300, food \$300, fishing apparatus \$100, and other supplies about \$200.

Yours, truly,

WILLIAM H. JORDAN CO.,  
ORLANDO MERCHANT, *Treasurer*.

# EXPENDITURES IN CANADIAN PORTS FOR THE CALENDAR YEAR 1917.

*List of vessels from Cunningham & Thompson branch of Groton-Peir Fisheries Co.*

Schooner.	License.	Bait.	Supplies.	Port charges.	Total.
Laverna.....	\$142.50	\$607.57	\$838.56	\$9.00	\$1,597.63
Arethusa.....	161.00	915.80	592.95	5.75	1,675.50
Ingomar.....	157.50	1,359.40	1,447.28	15.75	2,979.93
T. S. Gorton.....	138.00	527.50	208.35	6.25	\$80.10
Cavalier.....	144.00	784.40	304.08	5.50	1,237.98
Rhodora.....	122.50	1,047.08	284.53	7.85	1,461.96
Louisa R. Sylva.....	139.50	429.00	1,425.62	28.35	2,022.47
Senator.....			115.24	9.70	124.94
Arkona.....			12.70	4.95	17.65
Saladin.....			13.95	5.50	19.45
H. B. Thomas.....			57.62	4.00	61.62
Norma.....			1.50	2.00	3.50
Total.....	1,005.00	5,670.75	5,302.38	104.69	12,082.73

*Gorton-Pew Fisheries Co.*

Schooner Athlete.....	\$1,800	Schooner Fannie A. Prescott...	\$1,100
Schooner Catherine Burke....	2,000	Schooner Republic.....	1,300
Schooner Elsie.....	2,000	Schooner Mildred Robinson....	500
Schooner J. J. Fallon.....	900	Schooner Romance.....	4,000
Schooner Gov. Foss.....	3,700	Schooner Smuggler.....	2,000
Schooner Georgianna.....	1,500	Schooner W. L. Stream.....	400
Schooner E. E. Gray.....	1,000		
Schooner Mystery.....	1,500		27,700
Schooner James W. Parker....	4,000		

These figures are approximate.

*John Chisholm & Son, Schooners Robert and Richard.—Paid out in Nova Scotia ports, 1917.*

License, Liverpool.....	\$137.75	Bait.....	\$286.00
Towing.....	8.00	Ice.....	60.00
Potatoes.....	8.00	Bait.....	355.90
Ice.....	70.00	Tea, etc.....	7.20
Bait.....	221.00		
Eggs, etc.....	14.00	Total.....	1,174.85
Towing.....	10.00		

*Schooner A. Platt Andrews.—Paid out in Nova Scotia ports, 1917.*

License.....	\$138.00	Ice.....	\$67.50
Towing.....	5.00	Potatoes.....	7.73
Bait.....	248.00		
Flour, etc.....	16.00	Total.....	485.73
Water.....	3.50		

*Ordinary seining trip on half lay.*

Gross stock.....	\$2,860.00
Stock charge.....	370.00
	2)2,490.00
Vessel share.....	1,245.00
Men's share.....	1,245.00
Crew's expenses, of their half.....	145.00
	20)1,100.00(55.00
	1,000.00
	1,000.00

Share, \$55.00.

## Gross expenses:

Gas and oil.....	\$250.00
Ice.....	45.00
Barrels, if used.....	75.00
	370.00

## Crew's expenses:

Extra grub.....	100.00
Cook's wages.....	21.00
Hoisting engine.....	19.00
Purser.....	5.00

145.00

On a base of 19 men on an average trip of three weeks.  
One share for gas engine.



*Ordinary trip fresh fishing of two weeks' duration, 1917.*

Gross stock	\$2, 850. 00
Stock charge	56. 00
	2, 794. 00
	698. 50
	2, 095. 50
Expenses for trip	883. 00
	23) 1, 212. 50
Men's share	52. 76 $\frac{2}{3}$
Crew's expense:	
Bait, 6,000 pounds	280. 00
Ice, 15 tons	45. 00
Grocery bill	300. 00
Cook	25. 00
Hoisting engine	20. 00
Water	3. 00
Gas if used	200. 00
	883. 00

Submitted by Capt. Carl C. Young.

Secretary REDFIELD. I wish it were possible for us to have a first-class packing-house man in the meat business here to make it clear to you gentlemen how completely the conditions of the food supply of the country have altered since 1913, and how many years there must be of comparative avoidance of meat food in the future before we get back to the conditions of 1913.

**STATEMENT BY CAPT. LEMUEL E. SPINNEY, OF GLOUCESTER.**

Secretary REDFIELD. Capt. Spinney, give us your full name and business.

Capt. SPINNEY. Captain and owner; owner in a small number of vessels now, six or seven.

Secretary REDFIELD. You have been captain of an American steam trawler?

Capt. SPINNEY. Yes, sir.

Secretary REDFIELD. And have recently been made captain of a Canadian trawler?

Capt. SPINNEY. Not yet, but I intend to go next week as captain, to take charge of a boat.

Secretary REDFIELD. Do you regard the privilege of entering Canadian ports on the payment of a dollar a year per vessel as desirable?

Capt. SPINNEY. I do, sir.

Secretary REDFIELD. Have you taken advantage of the present licenses yourself?

Capt. SPINNEY. Yes, sir; most every year have a license.

Secretary REDFIELD. You didn't get that license for fun, did you, Captain?

Capt. SPINNEY. No, sir; but because I needed it; couldn't get along without it.

Secretary REDFIELD. And do you regard the privilege of extending that license to motor vessels as a valuable one?

Capt. SPINNEY. I do, sir.

Secretary REDFIELD. Does it make it more or less valuable if in addition the rate is changed from \$1.50 per registered ton to a dollar per year per vessel?

Capt. SPINNEY. Yes, sir; I never considered the \$1.50 per ton; simply had to have the license. That is all. If it had cost twice as much I would have bought it.

Secretary REDFIELD. Captain, I wish you would tell the commission just how you feel about this matter of allowing Canadian vessels to come directly from the fishing grounds into our ports and go directly there from our ports, whether it is wise or unwise, hurtful or helpful?

Capt. SPINNEY. I think it is wise. My opinion is that if we don't come across now we won't get a chance here again. The Canadian people are making this offer, and I think we should accept it. I consider that when we have salt fish coming in free and and fresh fish coming in, that the Canadian boats coming in will make very little difference. The people I am going for, I understand, want all the fish that can be obtained, all that is coming, and would take more. They are very much in need of a supply of fish. This boat I am going on has been under charter two years by the Canadian Government, and they have got a release and want me to go on the boat, and I am going this coming season.

Secretary REDFIELD. Do you know what arrangements you are going to make about the employment of your crew?

Capt. SPINNEY. I guess I can pick up a crew between here and Nova Scotia, somewhere.

Secretary REDFIELD. Are you going to pay them a great deal more than you pay men out of Gloucester?

Capt. SPINNEY. No; won't pay more. The wages there are much the same as here—the regular wages there. There is a difference outside of the regular wages of \$10 a month. They pay there \$30 a month and \$7 on 1,000 stock, and pay here \$40 a month and \$7 on 1,000 stock.

Secretary REDFIELD. But the officers on the Canadian vessels are paid more than the officers on the American vessels.

Capt. SPINNEY. I understand so.

Secretary REDFIELD. How does it come out in the total? Does it cost more or less in wages to run a Canadian vessel or an American vessel?

Capt. SPINNEY. I shouldn't think the cost would be very different, because, I understand, they are paying somewhere between \$7 and \$8 a ton for coal in Halifax, so I should think the operation of a Canadian vessel and one of our fishermen would be very little different. It used to be that you could go into Canadian ports and pay considerably less for potatoes and vegetables, but now you have to pay there what you do here, I understand. There might be a little difference in flour, but sugar is about the same as it is here.

Secretary REDFIELD. I understand you to say that your owners, or the people behind you, want all the fish they can get?

Capt. SPINNEY. That is what they have told me. The Leonard people, who own the boat I am going on, have their headquarters in

Montreal. I was up in Montreal the other day, and they told me they had orders for 2,000,000,000 pounds of fish, if they could get them, and they said, "For goodness' sake, get the boat going as quick as you can."

Secretary REDFIELD. Has it ever been brought to your attention that the Canadian people eat very much more fish per man, per capita, than the people in this country?

Capt. SPINNEY. I have heard so.

Secretary REDFIELD. Have you ever wondered why that was?

Capt. SPINNEY. I never knew the reason why.

Secretary REDFIELD. You regard fish as good to eat?

Capt. SPINNEY. Yes, sir; very nice to eat.

Secretary REDFIELD. Doesn't it seem very strange to you that the American people should be the smallest fish eaters among the great nations?

Capt. SPINNEY. It never occurred to me why that was so.

Secretary REDFIELD. Don't you think that if the business were dealt with as the Chicago packers deal with the meat business the demand would increase constantly and very largely?

Capt. SPINNEY. Certainly.

Secretary REDFIELD. Don't you think it would be advantageous for the people of Boston and of Gloucester—those engaged in the industry—if the demand for fish increased very largely?

Capt. SPINNEY. I think so.

Secretary REDFIELD. Has your attention ever been called to the fact that the meat supply of the country has been very largely reduced?

Capt. SPINNEY. I understand that it has.

Secretary REDFIELD. I wonder if anybody in your family has been trying recently to buy beef steak?

Capt. SPINNEY. Well, I know the prices, all right.

Secretary REDFIELD. Under the circumstances you have described and under any circumstances you know of, do you see any harm that would be done to the American people by having Canadian vessels bring their fish directly in here from the banks?

Capt. SPINNEY. I think it would be beneficial. That is my candid opinion.

Secretary REDFIELD. I suppose we must think, Captain, must we not, that the people of the interior are interested in this thing as much as the people of Gloucester?

Capt. SPINNEY. I suppose so.

Secretary REDFIELD. They are the fellows who eat the fish?

Capt. SPINNEY. Yes, sir.

Secretary REDFIELD. And what we are after is the largest amount of fish we can get, of any kind.

Mr. SWEET. Captain, do you think it would be an injury to the people of Gloucester to have vessels owned by Canadians clear directly for the fishing grounds and come back direct? Do you think that would be any injury to Gloucester?

Capt. SPINNEY. I think it would be a great benefit to the people of Gloucester. They depend mostly on the fish business, packing business, and if they don't come right in from the grounds they will come



just the same, the overplus of Nova Scotia. So I don't think there would be any difference in that respect, and it would be a benefit to the town.

Mr. SWEET. Taking the answer you gave to Secretary Redfield and the answer you have just given to me, then, taking the two combined, you practically say you think it would be advantageous to make this change permitting Canadian vessels to come here, clear directly for the fishing banks, and then come back without going to a Canadian port? You think that would be advantageous to the people of Gloucester and also to the people of the United States living farther inland?

Capt. SPINNEY. I think it would be advantageous; yes.

Mr. SWEET. To all?

Capt. SPINNEY. To all.

Dr. SMITH. I would ask the captain if he is an American citizen?

Capt. SPINNEY. Yes, sir; I am a naturalized American citizen, Canadian born; born in Yarmouth and naturalized in Massachusetts.

Dr. SMITH. Did you have to change your nationality to become a captain of this Canadian trawler?

Capt. SPINNEY. I did not. Things are pretty easy just now, you know.

**STATEMENT BY MR. FRANK E. DAVIS, OF FRANK E. DAVIS CO.,  
GLOUCESTER, DISTRIBUTERS OF FISH.**

Secretary REDFIELD. What is your business?

Mr. DAVIS. In the mail-order fish business. I don't produce fish and I haven't any vessels.

Secretary REDFIELD. You sell prepared fish entirely, do you?

Mr. DAVIS. Yes.

Secretary REDFIELD. Only prepared fish?

Mr. DAVIS. Yes, sir.

Secretary REDFIELD. Where do you sell it?

Mr. DAVIS. All over the United States, and once in a while it gets outside the country.

Secretary REDFIELD. You say it gets outside the country. Where does it go?

Mr. DAVIS. I have sent some to the western Canadian Provinces and some to Mexico; I have sent some to England, some to Germany, and some to France, but very seldom; have sent to the people over there who want the fish.

Secretary REDFIELD. I trust that you are not selling any fish to Germany at present?

Mr. DAVIS. Not if I can help myself.

Secretary REDFIELD. How long have you been doing this, Mr. Davis?

Mr. DAVIS. About 32 years.

Secretary REDFIELD. Has your business been developed all over the country and abroad in this way you speak of?

Mr. DAVIS. The mail-order and correspondence business, you might say, and advertising in the papers, etc.

Secretary REDFIELD. I am told at times your shipments are quite numerous, that there are occasions when you may send out as many as or more than 1,000 packages a day. Is that so?

Mr. DAVIS. Yes, sir.

Secretary REDFIELD. What I want to ask you is, whether, having had this experience over a period of time, with an opportunity to test the question whether there is a growing market for American fish from Gloucester, in your judgment the fish business is one which is capable of large expansion?

Mr. DAVIS. I think it is. I don't think we are commencing to sell what there is an opportunity in the country to sell.

Secretary REDFIELD. I wonder if the gentlemen in the rear can hear that. He says he does not think we are commencing to sell what we are able to sell. Is that correct, Mr. Davis?

Mr. DAVIS. It is.

Secretary REDFIELD. Have you been familiar with the work that the Bureau of Fisheries has done in placing on the market unused fish foods?

Mr. DAVIS. Not very much.

Secretary REDFIELD. Did you know that practically with the work of one man over a period of two years, backed by the office force, of course, and with some literature, it has been found possible to place upon the market something in excess of 50,000,000 pounds of fish food that two years ago was not used at all?

Mr. DAVIS. I have heard much on increase in consumption of formerly unused fish.

Secretary REDFIELD. Have the facts in connection with the adoption of whale meat for food been brought to your attention?

Mr. DAVIS. They have not.

Secretary REDFIELD. Have you been informed that there are a number of sea-going steamers engaged in that business now on the Pacific?

Mr. DAVIS. I have seen it in the papers; that is all.

Secretary REDFIELD. And that there is a larger demand for the product than they are now able to supply?

Mr. DAVIS. Well, I understood that it was increasing; that they could dispose of all they could get.

Secretary REDFIELD. Why do you suppose there is this country-wide demand for fish and for products like whale meat, so that it becomes possible to take these previously unused products and place them extensively, at small expense? What do you think are the conditions that make that possible?

Mr. DAVIS. I think one part of it has been the educational advertising the Government has done, and also the shortage of meat, and also the fact that people are being educated to the advantages of fish. I think that is growing pretty rapidly.

Secretary REDFIELD. And likely to continue so to do?

Mr. DAVIS. I can not see why it will not be one of the great industries of the country.

Secretary REDFIELD. Now, as one familiar with the business at large, do you know of facilities existing either in the United States or Canada, or both together, which would be able to supply the demand if the consumption of fish in this country rose to the relative rate at which it is consumed in Canada?

Mr. DAVIS. Well, I know it is almost impossible to get fish enough to supply the demand. I know that I can not get half the codfish that

I want, trying in this country and others. There are so many after it that it is almost impossible to buy any first-class codfish. Prices have increased and are increasing every day.

Secretary REDFIELD. So that the condition, as I understand you to put it, is that of an increasing demand and an insufficient supply?

Mr. DAVIS. That is the way I look at it; yes, sir. The demand is increasing pretty fast with us, and I think with all the fishing industry it is increasing, and we are not getting fish enough. I don't see how we are going to get it in the future.

Secretary REDFIELD. Mr. DAVIS, have you ever been informed as to the extent of the fishing fleet, the trawler fleet, of Great Britain?

Mr. DAVIS. I know they have spoken about it at different places, that it was mentioned, and it was said that what they were getting was away ahead of what we were getting here.

Secretary REDFIELD. Do you know how many thousand steam trawlers Great Britain has, or had, at the beginning of the war?

Mr. DAVIS. I do not.

Secretary REDFIELD. Has it been called to your attention that the single port of Grimsby sent out a thousand or more steam trawlers?

Mr. DAVIS. I know there is a very large number, but I don't know the figures.

Secretary REDFIELD. The reason why I have brought that to your attention is to see if I can not get this problem before the commission and the gentlemen present. Great Britain, we are informed, having been obliged in common with all Europe to kill off its cattle for food, finds itself in a condition where the only available way to get a sufficient supply of protein from food is to get it from fish. Before the war their consumption of fish was at the rate of 58 pounds per person, as compared with 18 pounds per person in this country. On that basis, they used about 4,000,000,000 pounds of fish a year for a population of 45,000,000, as compared with a use of 2,000,000,000 pounds a year by us, with a population of 100,000,000. They are now finding it necessary to very greatly increase that supply of fish food. The supply they have had is not sufficient. Under the circumstances, their fishing equipment, depleted by the war, is nothing like sufficient for their own needs, and even if restored to the prewar state it would still be insufficient for their own needs. Under those conditions, which I think are widely known throughout the world, is there any reason, in your judgment as a business man, to doubt that the American fishing business, with an increasing demand and an insufficient supply, is established upon a permanent basis?

Mr. DAVIS. Well, I think that they have got to build more vessels in both countries. The only way to supply the demand is to produce more fish.

#### STATEMENT BY CAPT. PETER GRANT, OF GLOUCESTER.

Secretary REDFIELD. Capt. Grant, what is your name and your business?

Capt. GRANT. Peter Grant. I am at present engaged in a sail loft, repairing sails.

Secretary REDFIELD. You have been a fisherman?

Capt. GRANT. Yes, sir.



Secretary REDFIELD. Have been in command of a vessel?

Capt. GRANT. Yes, sir.

Secretary REDFIELD. For some years?

Capt. GRANT. Yes, sir.

Secretary REDFIELD. Have you had a Canadian license?

Capt. GRANT. No, sir; never had occasion to use it.

Secretary REDFIELD. Why was that?

Capt. GRANT. Because we didn't fish in that part of the country.

Secretary REDFIELD. You didn't go where it was needed?

Capt. GRANT. Didn't go where it was needed.

Secretary REDFIELD. From your viewpoint, Captain, would the proposed arrangement which I think you must have heard us describe, whereby Canadian vessels would be allowed to come into our ports with their catches direct from the fishing grounds and go direct there from here or from our other ports, together with an arrangement whereby licenses would be granted to all classes, including motor and power vessels, at a nominal rate of a dollar per vessel per year, be a square deal?

Capt. GRANT. I should think it a square deal if you make it a dollar on both sides. I don't think it would be fair for us to pay them a dollar and we get nothing.

Secretary REDFIELD. That is a credit to your sense of fair play, of course.

Capt. GRANT. I think, in my opinion, that the American people are smart enough to compete with Canada on any conditions, and always have been, but I don't see what the dollar is for. I would like to have that explained, what that dollar is for, what they tax us the dollar for?

Secretary REDFIELD. As I understand it, one of the things we are going to try to find out when we go over there is that very thing. As I understand it, it is simply a nominal sum required to comply with the language of an old treaty, something which, I think, as far as the amount is concerned, our friends would be gladly willing to waive. But that may or may not be so. I think we are not ourselves sure, Captain. It may or may not be required in order to comply with the exact language of the old treaty. But, I take it, the dollar itself is not a serious matter?

Capt. GRANT. Oh, not at all.

Secretary REDFIELD. It is the principle you are concerned with?

Capt. GRANT. Yes, sir.

Secretary REDFIELD. In that respect you are quite right. In your opinion what else should be done by ourselves or by Canada to make the deal one in which you feel that you are getting the glad hand and extending the glad hand?

Capt. GRANT. In my opinion, I think the only thing is to take the feeling out of the people in regard to these things. You see, they feel that we were robbed by that \$5,500,000 award. You can not get the feeling over the 1861 trouble out of the Southerners, and it is the same with our people as it has been with the Southerners. They think we were beaten, and the Canadians think they gave us that beating.

Secretary REDFIELD. Of course, there is a very large amount of genuine human nature in that feeling. But nowadays, you see, the son

of the Confederate soldier is fighting side by side with the son of the Union soldier—

Capt. GRANT. Very true.

Secretary REDFIELD (continuing). And Canada is giving her boys and we are giving our boys in a common fight.

Capt. GRANT. Surely.

Secretary REDFIELD. So we are coming to know each other better, and when we fight side by side we like each other better.

Capt. Grant. Oh, we will get over this after awhile. We will learn to eat whale meat, although it will taste awfully sour at first.

Secretary REDFIELD. My cook is a good cook, and she doesn't know yet that it wasn't beef she was serving.

Mr. SWEET. Did you ever eat whale meat, Capt. Grant?

Capt. GRANT. I haven't, but I have eaten porpoise.

Secretary REDFIELD. I would quite agree with you on that, Captain, but the whale is a different bird. I think we will have to send Capt. Grant a can of whale meat—and don't tell your cook what it is.

Mr. DAVIS. We will have to put it on our list to get some.

Secretary REDFIELD. The only difficulty is to get it.

Mr. SWEET. The large amount of money spoken of, paid to Canada, was the amount settled upon by arbitration?

Capt. GRANT. Yes.

Mr. SWEET. Who were the arbitrators in that dispute?

Capt. GRANT. I have no idea, but they were not very good business men.

Mr. SWEET. A little too friendly to our Canadian friends.

Secretary REDFIELD. There was a Massachusetts man on that commission, too.

Capt. GRANT. Well, he came from the western part of the State. (Laughter.)

Secretary REDFIELD. From Pittsfield.

Capt. GRANT. A Gloucester man would have been smarter than that fellow, I know.

Mr. SWEET. I would like to ask you, Captain, if, seriously, there is ill feeling here in Gloucester or elsewhere in the United States growing out of that, if there is much feeling left on that matter?

Capt. GRANT. Well, I expect that it is like everything else, hard to get rid of.

Mr. SWEET. You think there is some left?

Capt. GRANT. Yes.

Chief Justice HAZEN. Think of our feelings when we had to pay you \$20,000,000 at the time of the Geneva award.

Capt. GRANT. Of course; we don't know about that.

Mr. SWEET. The shoe was on the other foot then, wasn't it, Captain?

Chief Justice HAZEN. That wasn't fifty-fifty.

Secretary REDFIELD. We are obliged to you for introducing a kindly element of human nature and good humor into the convention.

#### STATEMENT BY CAPT. JOHN MATHESON, OF GLOUCESTER.

Secretary REDFIELD. Your name and your business, Captain?

Capt. MATHESON. John Matheson, captain; go mackerel fishing on auxiliary vessels.

Secretary REDFIELD. You have occasion to use a Canadian license?

Capt. MATHESON. If I could get it, I would.

Secretary REDFIELD. Would you use one if you could get it?

Capt. MATHESON. Yes, sir.

Secretary REDFIELD. What would you do with it? What would you use it for?

Capt. MATHESON. Probably get fittings: ship men at certain times.

Secretary REDFIELD. For all the general purposes a ship needs a port for? Is that about it? Is that right?

Capt. MATHESON. Yes, sir.

Secretary REDFIELD. Now, you have heard this proposed arrangement talked about, haven't you?

Capt. MATHESON. Yes, sir.

Secretary REDFIELD. I will assure you that it is not the whole job, by a great deal. We have got the problem of Fraser River and other problems to tackle, but I don't want to worry you gentlemen here. We do not, however, want you to think that this is the whole thing. Do you regard the arrangement as proposed as a square deal all around; and if not, why not?

Capt. MATHESON. I don't think we can compete with the Canadian fishermen, fitting out from Gloucester.

Secretary REDFIELD. Why not?

Capt. MATHESON. Because it costs us more here to fit out.

Secretary REDFIELD. For what?

Capt. MATHESON. Most everything: for the vessel, in the first place; to build the vessel.

Secretary REDFIELD. You are referring, I take it, to the time before the war?

Capt. MATHESON. Well, naturally, it is going back again, I suppose, after the war.

Secretary REDFIELD. Of course, that is a very important question. Why do you think it will go back after the war to the former conditions?

Capt. MATHESON. Well, the vessels built down there, the material put into the vessels, wouldn't cost as much.

Secretary REDFIELD. Why, again?

Capt. MATHESON. Build cheaper ships.

Secretary REDFIELD. You mean that they are not as well built?

Capt. MATHESON. They serve the purpose just as well. I wouldn't say they are not as well built. A vessel here is built of very costly material. Down there the vessels are built of different materials, and don't cost as much money.

Secretary REDFIELD. Is that because our material is scarce?

Capt. MATHESON. Say, for instance, you build a vessel of oak or of hard pine, and another of softwood, the ones built of softwood will cost less money. Still, the vessel will produce the same fish.

Secretary REDFIELD. And is there that difference between the usual Canadian craft and ours, that one is built of hardwood and the other of softwood?

Capt. MATHESON. Yes, sir; as far as I know.

Secretary REDFIELD. What kind of planking do our hulls have in vessels built in Gloucester?

Capt. MATHESON. A first-class vessel, of oak.



Secretary REDFIELD. The planking of oak?

Capt. MATHESON. Planking and timber.

Secretary REDFIELD. Throughout? Is that the usual practice?

Capt. MATHESON. Yes, sir.

Secretary REDFIELD. Copper fastened throughout?

Capt. MATHESON. Not copper; galvanized iron.

Secretary REDFIELD. Galvanized iron fittings throughout. What is the difference in cost between such a vessel and a Canadian vessel doing the same work?

Capt. MATHESON. I think they can fit out cheaper from a Canadian port.

Secretary REDFIELD. You mean by that, get their equipment for less?

Capt. MATHESON. Yes, sir.

Secretary REDFIELD. And as regards supplies?

Capt. MATHESON. I think they could fit out with supplies cheaper.

Secretary REDFIELD. You mean that the supplies cost less. Now, Captain, have you made an actual comparison of those matters, or are you speaking from what has been told you?

Capt. MATHESON. Well, I haven't lately been to Canadian ports. The last Canadian port I was in was last spring, and you could get lots of things there cheaper than in Gloucester or any American port.

Secretary REDFIELD. But you were not able to get them there?

Capt. MATHESON. No, sir; without I violated their law.

Secretary REDFIELD. But under the new arrangement you would be able to get them?

Capt. MATHESON. Yes, sir.

Secretary REDFIELD. So under the proposed arrangement you would have the advantage of cheapness in the Canadian ports?

Capt. MATHESON. I would; yes, sir.

Secretary REDFIELD. On supplies and fitting out?

Capt. MATHESON. Yes, sir.

Secretary REDFIELD. Would be on an entire parity with Canadian vessels in that respect?

Capt. MATHESON. Of course, there are two ways of looking at that. I am interested in two vessels, part owner of two, and go as master of one, myself. Suppose I went from here and fitted out one vessel in Nova Scotia, and that my other part owners would be running a business here. I think I would be hurting them, wouldn't I?

Secretary REDFIELD. They certainly wouldn't get the business if you bought the goods down there.

Capt. MATHESON. That is the idea.

Secretary REDFIELD. But on the other hand you would be able to pay them a larger profit, perhaps, by getting the goods elsewhere, and if you can do that and do it, are you not working for the benefit of your company?

Capt. MATHESON. Of course, as I say, there are two ways of looking at it. My idea is that we couldn't compete, because you can run a vessel cheaper from a Canadian port, and under this arrangement there would be an inducement for the Canadians to stay home and ship and fish from there.

Secretary REDFIELD. Well, how about getting other men?

Capt. MATHESON. Might in time, but the idea is to get the fish, now.

Secretary REDFIELD. Have you any actual figures as to the cost of a Canadian vessel such as you speak of?

Capt. MATHESON. No, sir; I haven't; not at the present time.

Secretary REDFIELD. What do you assume the difference in cost to be?

Capt. MATHESON. I should judge a third less in Canada.

Secretary REDFIELD. That is a Canadian vessel, doing the same work, could be built for two-thirds of the money that an American vessel can be built for?

Capt. MATHESON. I think she could.

Secretary REDFIELD. People owning these vessels are in the business, I suppose, to stay?

Capt. MATHESON. We hope so.

Secretary REDFIELD. Would it not seem common sense for them to build a vessel so that she would do the greatest amount of work over the longest amount of time?

Capt. MATHESON. I didn't get that question.

Secretary REDFIELD. I ask you whether it wouldn't seem common sense for them to build a vessel so that she would do the largest amount of work over the longest amount of time?

Capt. MATHESON. You mean, build a vessel that would last longer?

Secretary REDFIELD. Yes. Wouldn't that seem common sense?

Capt. MATHESON. Yes.

Secretary REDFIELD. You don't mean to have the commission understand that the Canadians don't know how to build a good vessel?

Capt. MATHESON. No; but the material wouldn't last as long. You build a vessel out of birch or soft wood—spruce—and it won't last as long as a vessel built of oak.

Secretary REDFIELD. I understand, but is that the fact always or usually, Captain?

Capt. MATHESON. I imagine so.

Secretary REDFIELD. Well, really, do you know?

Capt. MATHESON. Well, I know they are built of softwood, down there.

Secretary REDFIELD. Usually or sometimes?

Capt. MATHESON. Well, I have been in the shipyards and have seen them.

Secretary REDFIELD. That is what we want to know, precise facts. You have been in the shipyards and have seen them made of softwood?

Capt. MATHESON. Yes, sir.

Secretary REDFIELD. Whereabouts was that yard?

Capt. MATHESON. Liverpool.

Secretary REDFIELD. Do you know whether that is the custom elsewhere in Canada?

Capt. MATHESON. Well, I imagine it is at Lunenburg. We see the vessels after they come here.

Secretary REDFIELD. And find them to be softwood vessels?

Capt. MATHESON. Yes, sir.

Secretary REDFIELD. We are not attempting in anyway to question your statement, but simply want to make sure of our facts. When we get down to St. John, you know, the men there may say

the other thing, and we want to know how you know it, so as not to be taken unawares. Now, is it your opinion, then, that that is a factor which applies throughout the business generally?

Capt. MATHESON. I imagine so.

Chief Justice HAZEN. Do you know, Capt. Matheson, how much such a vessel, say, of 100 tons, a fishing schooner of 100 tons, would cost if built here to-day?

Capt. MATHESON. I know that I couldn't get one built under any conditions, I myself.

Chief Justice HAZEN. You couldn't get one built?

Capt. MATHESON. I don't think so. They wouldn't guarantee when it would be built.

Chief Justice HAZEN. I suppose you know, Captain, that the cost of shipbuilding in Canada has tremendously advanced during the last few years?

Capt. MATHESON. No doubt.

Chief Justice HAZEN. Of what wood are vessels built here in Massachusetts and Maine constructed?

Capt. MATHESON. Oak and hard pine.

Chief Justice HAZEN. The cost of wood of that sort has advanced tremendously?

Capt. MATHESON. Yes, sir.

Chief Justice HAZEN. I suppose you are aware that the cost of wood of all sorts in Canada has soared up to prices that are simply fabulous?

Capt. MATHESON. No doubt.

Chief Justice HAZEN. Spruce, which two years ago was an inexpensive wood, to-day is extremely expensive. In fact, it is hard to get it for love or money for certain purposes. You wouldn't be able to give us to-day the difference in cost on a boat built in Canada and a boat built here or in Maine?

Capt. MATHESON. Some of the people here might be able to do so. I understand that shipyards are taken for an indefinite time, even where they are building fishing vessels. I couldn't get one built if I wanted to.

Chief Justice HAZEN. Any fishing vessels being built in Massachusetts to-day?

Capt. MATHESON. Yes.

Chief Justice HAZEN. Whereabouts?

Capt. MATHESON. Essex.

Chief Justice HAZEN. In the State of Maine?

Capt. MATHESON. I think so, possibly.

Chief Justice HAZEN. If it is possible, we would like to get some figures in regard to ship-building costs here, and then when we go to New Brunswick we will get the cost there. If there is anybody here who can give us such figures we would like to have them. Now, have you of late made any comparison between the cost of supplies in Canada, in Nova Scotia, and the cost of supplies here in Massachusetts, such supplies as are required for outfitting fishing vessels?

Capt. MATHESON. Vegetables there are cheaper.

Chief Justice HAZEN. What are you paying for potatoes here?

Capt. MATHESON. \$2 a bushel, I imagine—around that; might be somewhat less.



Chief Justice HAZEN. If that is the case, there is little, if any, difference in the price paid in Canada and that paid here, for potatoes. But we would like to get a statement before the commission of the prices paid here in this country for supplies for fishing vessels, and then we will have some reliable persons in the maritime provinces give a list of prices paid there. We will then know.

Secretary REDFIELD. Will you furnish us memoranda on that point?

Capt. SMITH. We will try to see that you are furnished figures showing what vessels are paying here and what our vessels are paying down there.

Secretary REDFIELD. That will be first rate.

Chief Justice HAZEN. I would like to ask a question in regard to equipment, Captain. When you spoke of equipment being cheaper in the maritime provinces, what equipment did you mean?

Capt. MATHESON. Outfits in general. Some things are higher.

Chief Justice HAZEN. You mean nets?

Capt. MATHESON. No; I wouldn't say nets were cheaper there.

Chief Justice HAZEN. Well, rope?

Capt. MATHESON. I wouldn't be sure about rope.

Chief Justice HAZEN. Well, what is there you could get, if you were on board a fishing vessel cheaper in Canada?

Capt. MATHESON. Referring to the food?

Chief Justice HAZEN. Referring to the equipment, that is used for catching the fish, fishing equipment.

Capt. MATHESON. Labor?

Chief Justice HAZEN. No; I am not talking about labor, but I am referring to the statement about equipment being cheaper. Did you mean that the food was cheaper?

Capt. MATHESON. I meant that you could fit a vessel cheaper there, always could.

Chief Justice HAZEN. You say fit a vessel. For what?

Capt. MATHESON. Fit it for sea, to go fishing.

Chief Justice HAZEN. Well, take the question of the equipment that is necessary for catching fish—the nets, ropes, things of that sort—can they be purchased cheaper in Nova Scotia than in Massachusetts?

Capt. MATHESON. I wouldn't say on the nets. The fishermen in general would rather have American nets. I have seen fishermen buy American nets when they had to pay \$24 or \$26 for the nets, when they could get an English net for \$6, because they would rather have the American nets.

Chief Justice HAZEN. It certainly ought to be much better for that price.

Capt. MATHESON. Yes; that is a fact; and there are men here who will bear me out in that.

Chief Justice HAZEN. It is true that some of the articles required on a fishing trip would be higher in Nova Scotia than in Massachusetts?

Capt. MATHESON. American articles would.

Chief Justice HAZEN. And other articles would be higher in Massachusetts than in Nova Scotia? That would be true?

Capt. MATHESON. Yes.

Chief Justice HAZEN. And in order to strike the difference you ought to have a complete list. Perhaps Capt. Smith can give us that. I suppose you know, Capt. Matheson, from your experience, that prices in Canada are very much higher than they were some years ago?

Capt. MATHESON. Yes; no doubt.

Chief Justice HAZEN. I suppose you know that in the year 1913 the prices were very rapidly advancing in Canada?

Capt. MATHESON. Yes; no doubt.

Chief Justice HAZEN. And that there has been a general upward trend in the price of commodities and articles in that country? You know that, I suppose?

Capt. MATHESON. Yes.

Mr. SWEET. When a fishing vessel starts out for the season, how large a quantity of supplies does she lay in to begin with? Enough for one trip?

Capt. MATHESON. That is according to the trip she is going on. For mackerel fishing they generally fit out for about six weeks or seven weeks.

Mr. SWEET. Get enough to last until they come back and discharge the cargo of fish?

Capt. MATHESON. We leave here and go to the southward, fish off New York, and, of course, there are more or less things we get there—fresh meats, butter, and stuff that wouldn't keep very well.

Mr. SWEET. If a Canadian vessel came here, unloaded her fish, and was granted clearance to the fishing banks, and then came back here, and then went to the fishing banks again and back again with a load of fish, where would she buy her supplies—food?

Capt. MATHESON. Buy her supplies where she could get them the most reasonable. I would, if I was on the vessel.

Mr. SWEET. And if she was running from Gloucester out to the fishing banks and bringing fish here direct, would she be likely to get her food supplies here or go to some Canadian port to get them, or somewhere else?

Capt. MATHESON. Probably take enough for a month or two months, what we call heavy food, probably use salt beef. Our fishermen have got so that they don't dare to carry much salt beef, as the men don't like it. We have not carried much for five or six years.

Mr. SWEET. She would carry some supplies in bulk, in a sort of wholesale way, and then get part of her supplies on each of these voyages, each trip?

Capt. MATHESON. Very likely do what we call patching out; get stuff for two or three months and patch out on the fresh stuff.

Mr. SWEET. And if those food supplies cost more in Gloucester than in some Canadian port, she would be at a disadvantage to that extent, to the extent that she bought food in this market?

Capt. MATHESON. Yes, sir.

Mr. SWEET. Of course, it would be of some advantage to Gloucester to have that additional business, I suppose?

Capt. MATHESON. Yes, sir.

Mr. SWEET. Now, referring to the advantages, you said when you first commenced to testify that if a vessel of yours propelled by

auxiliary power was entitled to take out one of these licenses you would get one?

Capt. MATHESON. I never had one in my life.

Mr. SWEET. But you said you would if you were entitled to have one?

Capt. MATHESON. Yes, sir; I would.

Mr. SWEET. What would be your motive in getting it?

Capt. MATHESON. Well, probably would go down there and fit out.

Mr. SWEET. In other words, you would probably find advantages in having it?

Capt. MATHESON. Yes, sir.

Mr. SWEET. Now, then, would the advantages of having a license that would permit you with the kind of vessel you use to go into Canadian ports to discharge a small or broken cargo, as they call it, make shipments in bond here or any other place you please, rather than having to come back here, that would give you all the privileges that a Canadian fishing vessel has—would that, do you think, be any more than an offset, or would it be a substantially fifty-fifty arrangement, granting them the privilege of coming in here, that we are talking about?

Capt. MATHESON. I think so.

Mr. SWEET. You think it would be pretty nearly an even thing?

Capt. MATHESON. Even to some extent, but, as I said before, if you had a firm here and they were interested, you would naturally like to fit from your firm. Probably they wouldn't want you to go somewhere else.

Mr. SWEET. But, speaking broadly, it wouldn't be a very uneven bargain from what you say, I take it?

Capt. MATHESON. No. I think myself, though, that you would be practically giving the fishing business to Canada. The vessels, of course, would be coming here, but I think myself it would be the same as moving down there.

Mr. SWEET. You think the Canadians would be able to catch our market if we did that, do you?

Capt. MATHESON. That is what I think myself. That is my personal opinion.

Mr. SWEET. Are you now taking into account the facts that have been brought out here in regard to the markets, the increasing demand for fish from all over the country, a rapidly increasing demand? Are you taking that into account?

Capt. MATHESON. Yes, sir.

Mr. SWEET. Have you heard the testimony of several gentlemen who have testified here, that there is not enough equipment in the United States and Canada combined to anywhere near meet that demand?

Capt. MATHESON. Yes, sir. But those men make their money handling fish. I don't. The firm I go for don't. We fish.

Mr. SWEET. I know, but an enlarging or increasing market is just as much an advantage for the man who catches the fish as for the man who merely buys the fish and sells it again, isn't it? Isn't it for the advantage of all engaged in the fish industry to have a big demand for fish?

Capt. MATHESON. Yes, sir; but the man who handles them can make the most money.



Mr. SWEET. We are not deciding between the two.

Capt. MATHESON. The more fish that comes in, the more he can make.

Mr. SWEET. We are not inquiring into relative advantages in that respect. You will admit that it is an advantage to everybody if the fish market of the United States is very largely increased and brought up somewhere about where the British market is; that it will make plenty of work probably for both Canadian and American fishermen?

Capt. MATHESON. Yes; but I would probably be of the same opinion and would probably wind up like Capt. Spinney, going down and getting a vessel there.

Chief Justice HAZEN. We would be delighted to have you there, Captain.

#### FURTHER STATEMENT BY CAPT. BENJAMIN A. SMITH, OF GLOUCESTER.

Capt. SMITH. Mr. Chairman, I don't want it to go out that Capt. Spinney is going away from us except temporarily. I think Capt. Spinney will say that he is going to fish out of Gloucester again. Isn't that right.

Capt. SPINNEY. Yes, sir. I am going down there for awhile, but I live here and Gloucester is good enough for me, and I would just as soon fish on this side as the other. But I didn't have anything to do this summer and had a pretty good chance, and so I said, "I guess it will work out all right." But this side is good enough for me. It is all right in Canada, as far as that goes, but I think if we get together and make it fifty fifty it will be better.

Congressman LUFKIN. Capt. Matheson, are you going to have an American vessel of your own built here?

Capt. MATHESON. When the opportunity comes to get it built; would like to have one built here later. I would have one built now if I could get it.

Secretary REDFIELD. Capt. Smith, can you tell us about this difference in outfitting?

Capt. SMITH. I can get the figures for you, Mr. Chairman.

Secretary REDFIELD. We would like to get a statement of what you pay for a vessel outfitted here and in Canada.

Capt. SMITH. I can get figures on a great many articles.

Secretary REDFIELD. Will you?

Capt. SMITH. I will.

Secretary REDFIELD. And making the comparison an equitable one, in which the conditions are the same.

Capt. SMITH. We have had vessels this year that have bought the whole outfit in Canadian ports, and I will give you those prices.

Secretary REDFIELD. Thank you.

Capt. SMITH. And let you know what the other vessels are paying here for them.

Secretary REDFIELD. That is just what we want. We would like to have you send that information to Dr. Smith, in Washington, please. (See Exhibit W.)

Capt. SMITH. I will do so.

Mr. FOUNO. Captain, can you give us the cost of a 100-ton vessel here and the cost of a 100-ton vessel in Canada?

Capt. SMITH. I don't know as I can tell you about the cost in Canada at the present time, but the Canadian vessels are cheaper than vessels here.

Mr. FOUND. Do they last as long as American vessels?

Capt. SMITH. No.

Mr. FOUND. Then an American vessel may be cheaper in the long run?

Capt. SMITH. She is, in the long run. For instance, one of our vessels is 20 years old, and I think we would class it with a vessel built in Lunenburg that was 10 years old.

Chief Justice HAZEN. Then, as a matter of fact, taking a series of years, the American vessel does not cost as much as the Canadian vessel?

Capt. SMITH. Not after the first five or six years. One great saving in running vessels out of Nova Scotia is that they don't fit them so liberally as we fit them here. I am interested in a way in vessels sailing from Canada and Newfoundland, and those vessels gave us more money and the crew got more last year than from vessels out of here, because it costs so much more to fit the vessels here, and we gave them so much more. They demand more here.

Secretary REDFIELD. The same men?

Capt. SMITH. Yes, sir.

Chief Justice HAZEN. It wasn't so much because of the extra prices here?

Capt. SMITH. No, sir.

Chief Justice HAZEN. But because the vessels here were fitted out, I may say, more liberally?

Capt. SMITH. Yes, sir; and more economically down there.

Chief Justice HAZEN. Take the pork, beef, butter, things of that sort that enter into the consumption on a fishing vessel?

Capt. SMITH. Cost more down there than here.

Chief Justice HAZEN. The prices there are higher, are they?

Capt. SMITH. Yes, sir; and that is the reason why we had some of our vessels come here and fit. We have three bankers now, for instance, sailing out of Newfoundland. They took their outfit here this spring, because we could buy it much cheaper than down there, and the vessels are fitted much more economically than those same vessels would be fitted if they went out of Gloucester the last few years.

Chief Justice HAZEN. Does that mean that the sailors sailing out of Gloucester demand more of what you might term luxuries?

Capt. SMITH. Well, a little different class of food.

Chief Justice HAZEN. A higher class?

Capt. SMITH. Yes.

Secretary REDFIELD. Capt. Smith, have you had actual experience in sailing vessels yourself?

Capt. SMITH. No, sir.

Secretary REDFIELD. Are you able to say whether a Gloucester vessel built of oak, as has been described, is a vessel that could be driven harder?

Capt. SMITH. Oh, yes, sir.

Secretary REDFIELD. Than a Canadian vessel?

Capt. SMITH. Yes, sir.

Secretary REDFIELD. Does that mean capacity to make her trips faster?

Capt. SMITH. Not necessarily; no.

Secretary REDFIELD. Is she a more efficient vessel?

Capt. SMITH. Not for the first five years or so. When she is new she is just as good as ours.

Secretary REDFIELD. But after that?

Capt. SMITH. After that she needs more repairs than ours; don't last as long.

Secretary REDFIELD. At the end of 10 years is the additional amount in a Gloucester vessel well invested or ill-invested, comparatively speaking?

Capt. SMITH. Well invested.

Secretary REDFIELD. So the capital, if I understand you correctly, is invested more effectively through the life of the ship in the Gloucester vessel?

Capt. SMITH. I think so; yes, sir.

Secretary REDFIELD. So, taking vessels by and large, a hundred of them, it isn't the first cost that is the controlling factor, but what you are able to get for the cost in the long run?

Capt. SMITH. That is the way I look at it.

Secretary REDFIELD. It is the same as in buying machine tools. For one you will pay \$1,000 and for another \$600, but at the end of six years the cheaper one is worn out, and the other one is still good for six years. It is the question of the work done by the two tools, respectively, relative to the cost rather than the first cost of the tools, that is to be considered?

Capt. SMITH. Yes, sir.

Secretary REDFIELD. And where you can get a thing that is that much better for \$1,000, you will use the \$1,000 article instead of the \$600 article right along, if you have the capital?

Capt. SMITH. Yes, sir.

Secretary REDFIELD. Exactly. I ran a factory on that basis for a good many years, right along.

Capt. SMITH. Yes, sir. I don't think you save over \$2,000 now between Lunenburg and Essex on the same materials.

Dr. SMITH. On what total cost?

Capt. SMITH. \$20,000.

Secretary REDFIELD. So really you have here simply two different theories in the construction of vessels—whether it is better to build a cheaper vessel and build more often, so to speak, or build a better vessel and not build so often? That is the fact, is it not, from a business standpoint?

Capt. SMITH. Yes, sir. I think it is hard to get oak in Nova Scotia, and always has been.

#### STATEMENT BY MR. ORLANDO MERCHANT, OF W. H. JORDAN CO., GLOUCESTER.

Mr. MARSHALL. Mr. Chairman, there were two *Clintonias* built in 1907, one in Nova Scotia and another here, and Mr. Merchant can tell you just what they cost at that time.



Secretary REDFIELD. That was 10 years ago.

Mr. ORLANDO MERCHANT. The *Clintonia* built here cost \$15,000 before putting anything on it, and the other cost \$9,000 ready for the sea down there. I think they are both living to-day; neither one of them is worn out.

Chief Justice HAZEN. What was the one built here built of?

Mr. MERCHANT. Oak.

Chief Justice HAZEN. And what was the other built of?

Mr. MERCHANT. I suppose of softwood, the same as all of them down there. They are both living and going to-day.

Dr. SMITH. Which is the best?

Mr. MERCHANT. Probably the Nova Scotia *Clintonia* will go for five years longer, but it is not as good a boat as the other.

Mr. MARSHALL. The one here has just made two trips to the Mediterranean, and I doubt very much if the other one could go abroad to-day.

Secretary REDFIELD. You see, the question is, when you are speaking of prices, considering prices in Gloucester as compared with those in Canada, whether the additional price paid for a ship here is well or ill spent.

Mr. MERCHANT. A Gloucester ship is better; there is no doubt about it.

Secretary REDFIELD. And over a period of years would be the better investment?

Mr. MERCHANT. Of course, there is quite a difference in price between \$9,000 and \$15,000. The *Clintonia* here cost \$15,000.

Chief Justice HAZEN. You think there would be the same difference in prices now?

Mr. MERCHANT. I think there is. The vessel would cost more here now. Such a vessel would cost here to-day over \$20,000.

Chief Justice HAZEN. Yes; because the cost of everything has advanced.

#### STATEMENT BY MR. CHARLES F. WONSON, OF THE GLOUCESTER SALT FISH CO., GLOUCESTER.

Mr. WONSON. Mr. Chairman, most of the testimony so far has been given by vessel owners or fishermen. In Boston, for the last two days you have heard the statements of fresh-fish men or cold-storage men. I want to speak, as I can, from the standpoint of a class of distributors of which there are quite a few in the city, who are not vessel owners and are not producers in that way, but are quite large distributors and are quite an important factor in the distribution of that product.

Our business here, as you know, is largely salted, pickled, and smoked fish, and it is, to my mind, as important an interest as even the fresh or cold-storage interests. I will try to explain why.

Our friends in Boston, the fresh-fish people and the cold-storage people, testified before this commission that, owing to the distance and to transportation difficulties, they were able to supply only a certain area of the country. Now, without our salt-fish market how could the balance of the large territory be taken care of? Further-

more, even in that area which they claim that they can cover well and safely at the present time there are occasions when fresh fish are not procurable on account of the weather conditions and possibly because there is not a sufficient quantity in the cold-storage warehouses. You can see how necessary is our salt-fish product, which is a reserve supply.

Further than that, it is not always convenient, it is not always possible, it is not at all possible except for immediate consumption, for the housewife to have in her store closet a supply of fresh fish, and if at a moment's notice she thinks that fish would be a good meal for the day she sends to the market and the market man tells her that to-day, because of this, that or the other, no fresh fish are available. She then either has to buy meat or go without her dinner. But with the salt fish on hand she knows that she is provided for, because she has salt fish. She has salt mackerel, she has all kinds of canned fish to-day, if she is a careful housewife, and that sort of thing is growing tremendously, as demonstrated by our friend Frank E. Davis. She has a supply of each of those fish on hand, and is able to furnish her family and guests with a meal. That shows the necessity of us people who are distributors of salt fish procuring the material from which we can make the salt fish. The fear seems to be expressed by our fresh-fish people that if the Canadian or foreign vessels were allowed free access to our American ports the fresh fish would be here in such an oversupply that it would depress the market prices to such an extent that the business would not be remunerative. But without what they call the surplus supply, what we call an ample supply, we would not have a chance to buy those goods at a figure which we call a splitting price, which enables us to do dress, cure, salt those fish, and hold them for the salt-fish business. Our friends in Boston, if you will remember, stated that they had on hand at the present, I think, about 2,000,000 pounds, which could not be sold for  $6\frac{1}{2}$  cents. Well,  $6\frac{1}{2}$  cents, gentlemen, seems pretty cheap, when they are getting 12, 14, and 15 cents, but  $6\frac{1}{2}$  cents is a mighty good price for fresh fish in a wholesale way, and it pays the producer a mighty good profit. Those fish, I think I am safe in saying, could be sold for 3 cents a pound to the splitters, and they would command that to-day. They have sold much cheaper in the past, and yet have shown an extremely good profit to the producers of those fish.

Now, then, we must get this surplus supply, and I want to speak for my friends who are in the same sort of business that I am, in the open market. I am not going to speak on the other side, because I am not a vessel owner and it does not interest me, except that as a citizen I want to see the closest connections in every way between the two countries. But I will speak on one side of the question and will try to show the necessity for a more ample supply of fish from some source in our American ports. Otherwise we will not have the salt-fish products which will enable us to do our share for the food supply of the people of this country.

A very small proportion of our stock in Gloucester to-day is taken for what we term salted fish from the vessels. Most of our product to-day—and that means a change as compared with years ago—is

brought into the market fresh or semifresh, or iced. We take it, split it, dress it, salt it, put it into the butts, and hold it until such time as the trade demand that we take it out, cure it and pack it. So we are depending almost entirely to-day upon the fresh-fish receipts for our stock of the salted goods.

I want to say a word, if you will allow me to do so here, for the much-abused whiting, because it has had a peculiar history and I have had perhaps a peculiar experience in connection with it. This is going to be a rambling talk, perhaps, but I would like to tell the Secretary about this if he cares to hear me, because I was in the business when whiting were first commenced to be caught by trap and weir fishermen along the coast. For many years these whiting were considered a pest by the fishermen. They would fill the traps and prevent fish of other kinds getting in, and they were thrown out of the traps by hundreds of thousands of barrels. But because there were so many thousands of these fish a great many would become tangled in the meshes of the nets, and when the nets were hauled the fish would have to be taken out by hand. As it was just as easy to throw the fish into the dory as to throw them overboard, some of the fishermen, in order to pay their overhead costs, would save those fish, bringing them to the splitters, and the splitters tried to see if something could not be done with them by salting them.

At that time, as you know, as a fresh fish possibility they were not considered at all. Very many dealers did try to sell the fish, but the people didn't think very much of them. The fish had no fat; they were a very watery fish. When they are salted the salt seems to absorb all the moisture there is. They get very flat and it seems as if there was nothing but skin to them, and they are rather tough. But they were cheap and were sold by hundred of thousands of barrels at 25 or 30 cents a barrel. It didn't pay the fishermen, but at times no other fish were running and they had to take them out, and they felt that perhaps they could get a day's work out of a dory load, two or three dollars. So they were glad to sell them for 25 or 30 cents a barrel. So they didn't cost the dealer much. It was more a matter of labor expense than anything else. They tried to put them on the market as a cheap salt fish for the southern trade. The product, on account of its price principally, took tremendously, and very shortly they were being cured and sold by carloads to all the southern country. That trade would have been continued for years had the same education been extended to the fish dealers, the same educational policy, that is now being carried out by the Government of the country. That is to say, if the dealers had been educated to take any kind of fish and put it on the market in the past, it would have been the best possible thing for the fish industry. But what was the consequence? The fish was so cheap that nobody cared much about it. A number of concerns took them on to fill in spare time for their men employed temporarily. If anything more important came in the men working on those fish would be taken off for the more important duties, and the fish would lay around perhaps 24 or 48 hours before they were finally dressed, salted, and sent down South. Anything was good enough to go down South.

What was the consequence? In two or three years the dealers commenced to have an over-supply on hand, and they asked the trade



what the trouble was. They were told, "We can't do anything with the fish. Our customers won't eat them." "Why not?" "They say they are no good; that they are not put up as good as they used to be." It was simply want of care. But a report came in regard to the fish from a great many people. The fish, being salted, became very dry, and when fried—and most fish are fried in the South—they would curl up, and the report came to us that these fish would fly out of the pan. That was an exaggeration. They wouldn't fly out of the pan, but they would curl up. I had at this time a thousand barrels on hand, and some of my friends more than that or as many. The trade wouldn't take hold of them, and we about all concluded that they would have to be sent to the glue factory or the fertilizer factory, and very many barrels were so sent. But I had a thousand barrels, gentlemen, that I thought I had taken pretty good care of, and I hated to send a couple of thousand dollars to the guano factory if I could help it; and so I started some experiments, and this touches on my whole point in regard to education. I said, "I believe those fish properly prepared can be relished, if they are properly cooked," and I took some of the fish home and, remembering what had been written me from the South in regard to the fish curling up and flying out of the pan, I said, "I will skin the fish, soak them out, and try handling them in that way, boiling them and cooking them in different ways." I said, "Anything that is good enough for me to eat is good enough for anybody down the other side of the line," and so I experimented with them and fixed them up in good shape, and they were all right. When properly handled they would not curl up and fly out of the pan, and so I simply instructed people to try and skin the fish and comply with the inclosed recipes, and I wrote my customers and brokers and said I would send those leaflets in quantity to any customer who would handle the goods, to influence the dealer to push the goods. You had to use some influence, because they had been given a black eye and everybody was against them. I told my customers that for every hundred barrels that they would take and market, at a certain price, I would put in five for which I wouldn't charge, and that would be velvet for them.

That was attractive advertising, and I give you my word that that thousand barrals of fish, instead of going to the waste pile, went to the trade South and was satisfactory. We commenced to learn something about whiting and commenced to take better care of them; but in the mean time the fresh fish and cold-storage people found that they were a pretty good fish and they brought a better price. What is in the market has sold from \$7 to \$10 a hundred, and the market is cleaned out and the demand is growing. That is what can be done with whiting. I speak of whiting because everybody knows about whiting, and it has been talked about a good deal. It can be done with all kinds of fish. That sort of work can be done with all kinds of fish. We have had our experience here in the past with food fish that has been brought here in an unmerchantable condition, and which people have felt obliged to utilize and send out to the trade. It was done to a certain extent, but the business was ruined. The dealers came together and said, "We will have no business left if you allow this sort of thing to continue"; and so we took a stand and said to the fish captains, "Gentlemen, you must bring in your fish in proper condition, or we will not accept it from you." The sug-

gestion was taken very kindly; the men understood the situation, and since then the fish have been brought in in very much better shape than ever before. As a consequence our trade, without the war conditions, has continued to expand and increase.

I trust, gentlemen, that in considering this question you will consider the advantages of the distributors, the advantages which the distributors, have with their conveniences to place before the American public any quantity of fish that they can secure. But the difficulty with us who are equipped to distribute those fish is to get the fish. We are not vessel owners and we can scarcely expect a man who is a vessel owner to furnish us with the product so long as he can utilize it himself. Consequently, we are obliged to look to outside sources for our fish. So if you can give us the fish through any legislation you can make, or any treaties, I will guarantee that there are enough people in Gloucester who will and can improve their conveniences of distribution so that we will do our part to take care of the trade.

#### STATEMENT BY CAPT. THOMAS M. NICKERSON, OF BUCKSPORT, ME.

Mr. DAVIS. Mr. Chairman and gentlemen, we have with us here to-day Capt. Thomas M. Nickerson, from Bucksport, Me., a man who has been a sea captain and who is a large vessel owner there now, and who represents the entire fishing business of the State of Maine. He tells me that he can not make a speech, but that he is willing to be interrogated on any matter. This man has risen from captain up to a large vessel owner, and is very conversant with the entire subject. I will introduce to you Capt. Nickerson.

Secretary REDFIELD. Captain, what is your full name and your business?

Capt. NICKERSON. Thomas M. Nickerson, of Bucksport, Me.; in the fishing business; salt-fishing business.

Secretary REDFIELD. Are you a fish producer?

Capt. NICKERSON. I am.

Secretary REDFIELD. Not a fish distributor?

Capt. NICKERSON. Yes, sir.

Secretary REDFIELD. You are both a fish producer and a fish distributor?

Capt. NICKERSON. I am.

Secretary REDFIELD. Do you own your own vessels?

Capt. NICKERSON. I do.

Secretary REDFIELD. Have you had actual experience on a sailing vessel, yourself?

Capt. NICKERSON. I have.

Secretary REDFIELD. Have you ever held a Canadian license, Capt. Nickerson?

Capt. NICKERSON. Yes, sir.

Secretary REDFIELD. Why did you have the license?

Capt. NICKERSON. Well, to go in to different places. The vessel has been into Shelburne, Yarmouth, different places along there, and Sydney, I guess.

Secretary REDFIELD. Did you feel that the license was needed?

Capt. NICKERSON. Why, yes, sir.

Secretary REDFIELD. And thought you could afford to pay the license fee?

Capt. NICKERSON. Well, we thought so.

Secretary REDFIELD. Would it be an advantage to you to have the license extended to your power vessels?

Capt. NICKERSON. Have none.

Secretary REDFIELD. You have no power vessels?

Capt. NICKERSON. No, sir.

Secretary REDFIELD. Would it be an advantage to you to have the license fee reduced to a nominal charge of a dollar a year?

Capt. NICKERSON. Well, I wouldn't want to say, but if we could go in there for one thing and another, perhaps it might be all right.

Secretary REDFIELD. Of course, the point I had in mind was this: You now have to pay \$1.50 per registered ton for a license?

Capt. NICKERSON. I understand.

Secretary REDFIELD. And the proposition before us contains as a portion of it the suggestion that the license fee be practically done away with and that a nominal charge of \$1 per annum per vessel be substituted.

Capt. NICKERSON. I should feel that that would be all right providing there were no concessions made from this side.

Secretary REDFIELD. What do you mean by that, Captain?

Capt. NICKERSON. Well, I don't want to enter into that subject, but there are various things that might be referred to at the present time. I am only a fisherman, but I have been more or less down through your country on my way to Newfoundland, back and forth, for the past 12 years, and I no doubt have heard, listened to quite a number of your men in regard to one thing and another, and of late years the war; and, I being, as they knew, from what they call "the States," they have sometimes discussed the question of us coming with them. I told them I guessed we would come, that the time was coming when we would come, and we have come, and I feel as if with what we produce and what we have done, that we, I think, are doing all that we ought to do, without giving any concessions.

Secretary REDFIELD. When you say "concessions" do you mean that we in the United States should not grant the Canadian vessels the right to enter our ports directly?

Capt. NICKERSON. I do.

Secretary REDFIELD. And why so, Captain?

Capt. NICKERSON. Why, you have your own fishing grounds, your own ports; you can build vessels with your own materials, and you have got the men, and it looks to me as if you had got everything. It looks to me as if we didn't have but a very small part in this, when it comes right down to justice and fairness. You know, it costs people more to live, more for everything here, and we can not compete. We can not think of competing with these fish coming in here free. I don't believe it.

Secretary REDFIELD. In other words, Captain, it is your idea that fish delivered to you in an American vessel costs more to deliver than it would in a Canadian vessel. Is that so?

Capt. NICKERSON. Well, I don't know. Your advantages are more, of course. It is more to your advantage, you being so much nearer



the fishing grounds and my company so much farther away, and your men being there.

Secretary REDFIELD. I am an American.

Capt. NICKERSON. I beg pardon.

Secretary REDFIELD. You don't have to apologize.

Capt. NICKERSON. I know, but you are asking me something that is pertinent to both sides.

Secretary REDFIELD. That is right.

Capt. NICKERSON. And I am answering to the best of my ability.

Secretary REDFIELD. What we want to get at in the commission is this. If I understand you correctly, you do not feel that you can compete on even terms with the Canadian vessels. Is that so?

Capt. NICKERSON. I don't, really. I don't feel that we can. I don't know. My gracious! I think we are doing a good deal, and I believe this is a serious question for the fishermen and the vessel owners of the States of Massachusetts and Maine, covering practically the coast of New England and probably as far as New York. I don't know. I think we are doing all and giving all that we can, and I don't know but a little mite more.

Secretary REDFIELD. But I don't get an answer to my question, Captain.

Mr. SWEET. Is this your idea, Captain? You think, as long as we have gone into the war and are helping our Canadian friends out, that they can not respond too generously to us?

Capt. NICKERSON. There, sir, you have got it!

Mr. SWEET. That is your idea?

Capt. NICKERSON. Now you have just hit the nail on the head. I didn't like to bring that in, but I think that is the situation at the present time, taking things the way they are and what we are doing. I don't want to be selfish or anything of the kind, but I think really, my gracious goodness' sake, we are entitled to something.

Secretary REDFIELD. Suppose, Captain, you look at it from this point of view, that, relative to population and relative to resources, in a war which is of common interest and is as important to us as to them, Canada has done far more in proportion than we are proposing to do, even. Now, looking at it from that point of view, which is the fact, if you take the relative resources of Canada and her population, think of her sending half a million men and maintaining them, a tremendous undertaking, their blood having been shed like water, as ours perhaps will be, in a common cause, if there exists any obligation by reason of what the respective nations have done in the war, the obligation is from us to them, broadly, and not from them to us. They were in it first; they have suffered far more than we. They have given of their children in far larger proportion than we have done, and if we were to give in proportion as they have done our army in Europe would outnumber that of Great Britain and France put together. I am afraid you haven't thought of that.

Capt. NICKERSON. I have, very carefully. I have this to say, that we are only just, practically speaking, amateurs in going in, and we have not got there. We have only just commenced, just started; but before we get through I am afraid there is going to be a different way to look at it than at the present time.

Secretary REDFIELD. I hope so.

Capt. NICKERSON. I don't blame you.

Secretary REDFIELD. Now, let us come back to this proposition. Captain. Our Government approached the Canadian Government with a request that they grant us certain privileges in their ports. The request came from us. The proposition was originally our own. They say, "While we nominally have free access for our catch to your ports, as a matter of fact, by reason of ancient navigation laws, by reason of laws passed in the eighteenth century, you are imposing upon us certain restrictions which we would like to have removed." Namely, they ask to have the right to come directly into our ports from the banks and to go directly to the banks from our ports. Now, if they give to us such rights in their ports freely, why isn't it a fair proposition for us to reciprocate? If it is not fair, why isn't it fair? If it is not fair, we want to know it.

Capt. NICKERSON. We pay for that privilege.

Secretary REDFIELD. They purpose to give us that privilege free, of course.

Capt. NICKERSON. Now, to speak plainly and conscientiously, we are all more or less selfish, and I am going to be as just as I can in answering that question. We have vessels here and you have vessels there; you have fish there and we have fish here. Now, I presume a man who actually has vessels that catch fish would naturally like to have his own markets to market his fish in. He doesn't like perhaps to have another country, we will call it, marketing their fish perhaps in the same market. But the other man can do it, now. This Canadian country can produce fish and put them onto this market in spite of all, and do it for less money than it can be done here now, I am afraid. It is the same in the construction of vessels. As far as material is concerned, they haven't got to go far back for what they want. They have all they need, and they have their men to build them for a less amount of wages, and they have got the fishing grounds nearer to them than we have in this country, much nearer, and they can produce fish, you know, and more of them, for less money than we can from this coast, Massachusetts or anywhere between here and Cape Sable.

Secretary REDFIELD. Are all the banks nearer them?

Capt. NICKERSON. Yes, sir. But my line is salt fishing. There are banks off here, but they produce more fresh fish. Fresh fish come from around these grounds.

Mr. SMITH. May I inquire how many vessels go from Maine ports to the salt bank fisheries?

Capt. NICKERSON. I may have five or six, suppose I have another one, six or seven.

Mr. SMITH. The total number?

Capt. NICKERSON. That is, bank fishing, I don't know, but I think I am the only one sending vessels salt fishing, bank fishing.

Mr. SMITH. Where are your fish sold?

Capt. NICKERSON. Sold out of Bucksport. They come in there, and we ship them. We cut and smoke, sell some whole, sell them both ways.

Mr. SMITH. Where are your principal markets?

Capt. NICKERSON. Sell in many different places—Massachusetts, New York, sometimes farther. We export some fish to Porto Rico

and sometimes to Havana; sometimes dry and half-cured fish and send them to Porto Rico.

Secretary REDFIELD. Do you have trouble in getting fish enough?

Capt. NICKERSON. Yes, sir; sometimes have lots of trouble in getting fish, and sometimes not so much.

Secretary REDFIELD. Of late you are getting all the fish you need?

Capt. NICKERSON. No. I buy them.

Secretary REDFIELD. That is, in addition to your seven or eight vessels?

Capt. NICKERSON. No, sir—or seven now, have added one.

Secretary REDFIELD. In addition to the lot they can get you are still buying fish?

Capt. NICKERSON. Some on the coast.

Secretary REDFIELD. Any trouble in getting them when you want to buy them?

Capt. NICKERSON. Sometimes they don't come too plenty.

Secretary REDFIELD. Is the business growing, Captain?

Capt. NICKERSON. Well, now, I should say that in the past couple of years it might have improved some.

Secretary REDFIELD. Isn't that a very moderate statement, Captain?

Capt. NICKERSON. Well, to quite an extent.

Chairman REDFIELD. To quite an extent?

Capt. NICKERSON. Yes, sir.

Secretary REDFIELD. Why do you suppose the business is growing so fast, Captain?

Capt. NICKERSON. Well, the country is increasing in population.

Secretary REDFIELD. Short of meat, is it not?

Capt. NICKERSON. And all the physicians through the country are advising people more than they used to to eat fish, and it is in all the papers, and we have to take into consideration that the shortage of food this winter has caused more consumption of fish.

Secretary REDFIELD. And you think that likely to grow?

Capt. NICKERSON. Well, there, I wish I knew!

Secretary REDFIELD. You hope so?

Capt. NICKERSON. Yes, I hope so.

Secretary REDFIELD. Where do the American people come in on this proposition, Captain?

Capt. NICKERSON. I don't know; in regard to the people, I don't know. Of course, you know, when you come to this question of the American people, why, there are some people, you know, that are—well, we don't want to go into that, perhaps, because I am not a blue blood, and when you discuss that with me we would have to go, you know, into these people that are away above fishermen, that think they are.

Secretary REDFIELD. Have you ever heard such a thing as complaint because the cost of living was so high?

Capt. NICKERSON. I have.

Secretary REDFIELD. And what about the American people being entitled to get the largest possible supply of fish at the lowest price?

Capt. NICKERSON. That is all right.

Secretary REDFIELD. They ought to have it, ought they not?

Capt. NICKERSON. Why, I don't know why not; provided the men in the business are properly treated. They have got to get a profit



out of their business, but they can not get the profit that they are getting down about a couple of hundred miles from us to the eastward. Those fellows are the fellows that are making the money to-day. They are making a great deal more, in my opinion, than we are up here, and they are doing it easier. They have got the men, and they have built, I don't know, about thirty-odd vessels this winter, I hear, and have all the men they want and have the fishing almost, as I tell you, at their own door, and they can not help producing fish at much less, with the labor to take care of and handle it, than in this country. That is where it comes, in my opinion.

Secretary REDFIELD. What percentage of the fish that comes into our country comes from Canada?

Capt. NICKERSON. I haven't the statistics and I don't keep track of that, perhaps, as much as I ought to. I don't know.

Secretary REDFIELD. It is rather surprising, isn't it, under the circumstances, with our market so very high and their costs so very low, that their entire catch is not sold in the United States? Isn't that rather surprising?

Capt. NICKERSON. Well, you know, there is good air down there to cure the fish, good markets to ship the fish through the West Indies, and the men own more interest in the vessels and take care of everything, and they are as much ahead of us as the sun is above the earth in some ways, and they can not help but getting something out of this when we can not, on account of the expense.

Secretary REDFIELD. Your idea is that the Canadian fishermen run the business better than we run our business?

Capt. NICKERSON. I don't know about their running it better. They are no smarter men. They have some good men and we have some good ones here.

Secretary REDFIELD. Thank you very much, Captain. We are very much obliged to you.

#### **STATEMENT BY MR. GEORGE J. TARR, OF THE GEORGE J. TARR CO., DEALERS IN FISH OILS, GLOUCESTER.**

Mr. TARR. Mr. Chairman, others have expressed their views with reference to other parts of the fish industry, and I have an industry which is known as a by-product. It is as essential in every respect as the codfish business, although its volume of business is not as large. I now refer to the cod-oil business.

I hope, whatever may be the future legislation pertaining to this matter, it will not prevent the people of the United States from continuing to bring in fish and cod oil to our country. Some years ago it was without difficulty that we got all the oil we wanted right here in this port and along the Maine coast, as far as Eastport. Gradually the vessels commenced to leave, for one purpose or one reason and another, until the Grand Banks fleet that we depended upon so much has almost ceased to exist. Merchants of Gloucester have gone to other places to obtain their supplies, as you all well know, and we with our small industry had to follow suit.

At that time there was a protective tariff, and I was a protectionist, because we were getting plenty of cod oil. I was a protectionist because the menhaden industry—an industry having perhaps the

greatest volume of money invested in it, more than was invested in the salt-fish business of New England—was then struggling for existence, on account of the low price of the goods; but gradually, as all things do, as everything is doing all the time, things changed and continued to change all the time, there began to be greater demands for the poor menhaden oil, that was the cheapest grease on the market, competing with grease that came from France, going into the manufacture of leather. Gradually, by improvement in methods in connection with the menhaden oil, by different methods, taking better fish and converting it into a light oil, it was used in connection with linoleums, soaps, paints, and for lots of other purposes, the price being raised so that it was more valuable than cod oil. Cod oil, on the other hand, has to go into the leather trade. This is a very important question.

Automobile leathers, sole leathers, upper leathers, kip leathers, every kind of leather worn to-day by ladies or gents, is bathed in cod oil. Now, the supply of cod oil is limited. Newfoundland produces about 15,000 barrels a year; Canada runs from 7,000 to 14,000, depending on the catch. You can see how limited that is when it comes to supplying the manufacturers of the United States with their oil. While menhaden oil in what we would term an ordinary or a good year was being produced to the extent of 187,000 barrels, we have taken that right out of the market, from where it used to be consumed, because in connection with every piece of steel, every saw, every hammer that is tempered, they use menhaden oil, and consume it in large quantities. But cod oil is distinct; there is nothing in connection with the manufacture of a piece of leather equal to cod oil. Its nature is such. We have now only 30,000 barrels of cod oil, or say in a good year 50,000 barrels, to use in the United States, where we need at least double that quantity. Now, let me give you an idea of the way things have been changed. We were buying oil 20 years ago at from 30 to 35 cents a gallon. What is taking place to-day? It is \$1.05 a gallon, the same oil, and there is not half enough to go around. We are paying the fishermen 95 cents and even a dollar, in some instances. It is an important thing to keep this market open. We can not go without it. Some will say to you, "Get it from Norway or Iceland." We get very little from there. The Germans, the first year of the war, gobbled all the cod liver oil and carried it off to Germany, and it is scarce in England. It may be surprising to you to know that the year before the war 186,000 barrels were imported into this country for consumption. We want the consumptives to still have their oil from Nova Scotia, or wherever it may come from. It has got to come. You want to bear in mind the by-products from codfish. There are the fish bladders, and there are the fish sounds, an enormous quantity, hake sounds. An enormous amount are imported from other parts of the world to supply the demand. Of course, those handling those fish can tell more about them than I can.

I am going to digress just a bit, and only for a moment. I have been in the last 10 years visiting nearly every port in Canada, large and small, trying to find oil, and I have gone into the small hamlets and the largest cities. I have dealt with the fishermen and I have dealt with the merchants, for the last 8 years more particularly, and

I want to say to you, gentlemen, if I am any kind of an observer at all, that Gloucester has done much for Canada and Canada has done much for Gloucester. The closest of feelings are now existing. The people are welcoming the men who have gone there and bought green fish that never was sold before. Those fishermen are building more boats to-day and are bringing more of their sons into the business, and I think I speak with authority when I say that the Gaspean coast has more fishermen on it to-day than ever before in the history of the business. That means much for the interest of the business. All the concerns that have gone there and located have built up the industry for those people and have impressed them at all times with their fair dealing. Also, on the south side of Nova Scotia the same firms have gone there and established places. All along the Maine coast they are establishing places and working hard to induce the people to produce more fish. But Mr. Carroll this morning told the greatest truth in regard to the matter. The reason why the fishing business has been on the decline for so many years is simply because fishermen didn't get enough for their fish. How can a man afford to go fishing, the most hazardous business in the world, and get only small compensation? But there is now a change, and we are seeing the results. Their shipyards are full, are busy. Men want to build beam trawlers costing \$250,000 or \$300,000. Why? Because they think they can get something in return. Mr. Carroll, who has had great experience in distributing fish, also says that this is a vital thing and that the people must not expect to get fish for nothing; that they must not get the idea that fish is scum, but must have the idea pumped into their heads that it is as good as beefsteak, and some like it a good deal better. That is the great trouble here. We have had too low prices, so that fishermen were getting only \$400 or \$500 a year, dragging along a miserable existence.

But now the thing has changed, and the Government of the United States is sending this commission around so that we can advertise our case and get it before the public. This is what has been needed, what should have been done years ago. Our industry needs fostering. It should have been done long ago, and I hope your commission will do everything it can, will keep the thing going, and will let the vessels come in with fish. We will take care of them. We are going to have freezers come in as an important factor. I had 10 years' experience in the fresh fish business on Commercial Wharf and T Wharf, and I know something about it. We will have the beam trawlers and open ports in connection with Canada, and then Gloucester will thrive.

**STATEMENT BY MR. HENRY E. PINKHAM, OF THE HENRY E. PINKHAM CO., GLOUCESTER.**

Secretary REDFIELD. Are you a producer or a manufacturer of salt fish?

Mr. PINKHAM. Well, I would like to tell you a few of my experiences before answering questions. On January 26, 1906, I started in the salt fish business, manufacturing salt fish, boneless fish. Our company is the Henry E. Pinkham Co. We started with a very small capital, so small that it is hardly worth mentioning, \$600. Well, since that time, there has been no other concern started in the



boneless business in the city of Gloucester. I mentioned the other night that the A. Booth Co. started, but that has been started a number of years. The trouble has been lack of raw material. I don't blame the large concerns. Mr. Carroll, when I started in business, was the first man to help me out with the banks in Gloucester. I have never forgotten the kind act he did.

But we need larger amounts of fish coming in here to supply our great country. The people of this country need food, and we should supply them with it, no matter where it comes from. We can't get in so much that we will not know what to do with it. We never in my experience have been overburdened with so much fish that we can not sell it. In my opinion, which may not be right, this thing that is proposed will not hurt me. I am interested, own a steamer, a gill netter, we call it, and I value her at \$11,500, which operates off this coast, and if fish becomes so cheap as everybody says, I will not be able to operate her. But I don't worry about it. If the Canadians come in with fish I will get more to work with, and perhaps will go down there and operate there and ship fish to this country. The gill net fishery is quite a large business, and there is a lot of money invested. I suspect that there must be \$5,000 invested in the city of Gloucester in the gill net fishery. If they could go down to Nova Scotia and operate and ship fish to Boston it would be a great benefit to this country. At this time of year we don't get any fish there, because the season, you might say, is off. About the 1st of March we start the fishing year and get very good fishing. But, on the whole, we need more material here. There is no man, I don't care how large or how small his business may be, who will say that we do not need more material, because we are going after it every day. Take a small man, with a small business, it is almost impossible for him to go after it. I have to stay home and take care of the business. You say, "How small is your business?" I have put out since May 1 1,000,000 pounds of fish, and when I started the first year I put out 15,000. In the last 10 weeks I have put out \$45,000 worth of fish. It is going somewhere, the people are being fed, and that is what the country needs, something to feed the people. That is my idea of it, and I don't want to be so self-sufficient as to try to keep everybody from bringing fish into this port, particularly when everybody is now favored under free trade. I don't believe there is a concern in the city that has not prospered wonderfully under free trade. I have, and I think everybody else has.

**STATEMENT BY MR. A. L. PARKER, PRESIDENT BOSTON FISH PIER CO.**

MR. PARKER. Mr. Chairman, just a word of explanation. Something has been said about 200,000 pounds of fish in Boston that they couldn't sell at 6½ cents, and the statement was made in regard to how they did dispose of it, in connection with the statement I made yesterday that we couldn't get fish enough. As a matter of fact, that fish was not put onto our exchange for sale. It was brought in by the Bay State Co., which tried to distribute it in its own stores and hold the price above the market. We were not offered a chance to buy that fish.

**CORRECTION OF STATEMENT BY CAPT. CARL C. YOUNG.**

Chief Justice HAZEN. Mr. Secretary, in Boston yesterday or the day before yesterday Capt. Young made a statement with regard to American vessels that had take out *modus vivendi* licenses having to apply to Ottawa in order to transship fish. I think that he would like to make a statement about that here.

Capt. YOUNG. Mr. Chairman, I have found out that what I said in that respect is not so, that my statement was not correct.

**STATEMENT BY MR. JOSEPH MCPHEE, OF THE RUSSIA CEMENT CO., OF GLOUCESTER.**

Secretary REDFIELD. Is Mr. Joseph McPhee in the room?

(Mr. McPhee came forward.)

Chief Justice HAZEN. Mr. McPhee, we had some discussion in Boston yesterday with regard to the uses that are made of fish waste, and some reference was made to the fact that fish waste was being transformed into fish meal, which was being used as food for cattle and food for poultry. I am informed that you will be able to give us some information upon that subject.

Mr. MCPHEE. That is, so far as poultry goes. We get the raw material from the fishing concerns in Boston—that is, skins, waste, bones, and other material that they do not use for food. It is cooked, the liquor extracted and evaporated down, and we get glue out of that. Our concern manufactures Le Page's glue. Then the remaining material is put through a dryer and is then thoroughly ground. For a number of years it was sold as fertilizer, and then the fertilizer plant to which it was turned over was sold out, so that that branch of the business was discontinued, and since then this chicken food has been developed in this way. We are making up what we call chicken food from it. Nothing is added to it. It is just as we get it, being ground and handled in that way after being extracted, using what is left after we get the material for the glue.

Chief Justice HAZEN. As I understand it, the waste which was formerly used for fertilizer is now used as chicken food?

Mr. MCPHEE. Yes, sir.

Chief Justice HAZEN. You have found that it is a fairly profitable business?

Mr. MCPHEE. Yes, sir; fairly so.

Chief Justice HAZEN. How long have you been engaged in that business?

Mr. MCPHEE. The chicken feed is something new; I don't think over a year and a half or two years.

Chief Justice HAZEN. Speaking in dollars and cents, what does the business amount to, the chicken food business?

Mr. MCPHEE. I couldn't say just what it would figure.

Chief Justice HAZEN. It is a growing business?

Mr. MCPHEE. Oh, yes. We can not get enough material to supply the demand at the present time.

Chief Justice HAZEN. This food is a favorite food with poultry raisers?

Mr. MCPHEE. Yes, sir.

Chief Justice HAZEN. They find that they get good results from feeding their hens upon it?

Mr. McPHEE. Yes, sir; it is a good food for producing eggs and also makes good broilers.

Secretary REDFIELD. You are turning fish into meat and eggs?

Mr. McPHEE. Yes, sir.

Chief Justice HAZEN. Are you using all the fish waste that you can get for this purpose?

Mr. McPHEE. Yes, sir.

Chief Justice HAZEN. If you could get more fish waste would you extend your business?

Mr. McPHEE. I think likely.

Chief Justice HAZEN. The quantity of fish waste you can get depends, I suppose, on the quantity of fish brought into this port?

Mr. McPHEE. It is brought here from the Pacific coast and also from Canada.

Chief Justice HAZEN. You get this waste from the Pacific coast?

Mr. McPHEE. No; not the waste. We get the glue from the Pacific coast.

Chief Justice HAZEN. And also get glue from Canada, do you?

Mr. McPHEE. Yes, sir; we have a plant at St. John, New Brunswick.

Chief Justice HAZEN. Who is running it for you?

Mr. McPHEE. Charles E. Elwell. He lives on the hill the other side of the railroad track.

Chief Justice HAZEN. Yes; you are able to secure fish waste there for glue?

Mr. McPHEE. Yes, sir.

Chief Justice HAZEN. That business is progressing all the time?

Mr. McPHEE. Yes, sir.

Chief Justice HAZEN. Then, the more fish business that is done, the more people there are eating fish, the more chicken food there will be.

Mr. McPHEE. And glue.

Chief Justice HAZEN. And I suppose that means more chicken food for the people of the United States and Canada?

Mr. McPHEE. I should think so.

Chief Justice HAZEN. Is it an economical food for poultry?

Mr. McPHEE. It is in the long run. It costs more at the start, but there is more value to it, more protein value in this fish meal, I understand, than in anything they have put out. The meat concerns for a number of years did something in that line, and do some now, but we have taken some of that business, because the meat scraps, as they call them, have been falling off, and they have been getting refuse meat from the soap factories, tallow plants, and slaughter-houses, so that it has hurt business and made more of a demand for fish meal.

Chief Justice HAZEN. That fish meal, if I understand you correctly, is made from glue you get from the Pacific coast and Canada, and manufactured here?

Mr. McPHEE. Not from glue; it is made from the material left after the glue has been made.

Chief Justice HAZEN. The meal is made here?

Mr. McPHEE. Wherever the glue is made.

Chief Justice HAZEN. You make it in St. John?



Mr. McPHEE. No; not enough there to bother with. It is sold there, I think, to the Provincial Chemical Fertilizer Co.

Chief Justice HAZEN. But you have this factory in St. John where you take this fish waste, and you manufacture that there into glue material?

Mr. McPHEE. Yes, sir.

Chief Justice HAZEN. Then, that glue material is sent on to you here?

Mr. McPHEE. No; we have this plant located on the other side of the line to take care of our sales in Canada, to save sending goods into Canada from the United States, which saves the duty.

Chief Justice HAZEN. Yes.

Mr. McPHEE. And we have at times an oversupply of raw material in Canada, which is brought into this country, because there is no duty on it.

Chief Justice HAZEN. Do you manufacture any of the meal in Canada, at all?

Mr. McPHEE. No; it is sold to the fertilizer company.

Chief Justice HAZEN. All the meal manufactured, then, is manufactured here in Gloucester?

Mr. McPHEE. Yes, sir.

Chief Justice HAZEN. Do you employ many people in that industry?

Mr. McPHEE. Of course, this meal has to come from the glue end of it, and is a by-product. I think we have 250 employees.

Chief Justice HAZEN. Employed in your glue industry to-day and in the making of meal?

Mr. McPHEE. Yes, sir.

Chief Justice HAZEN. That is quite an industry. Do you pay large sums in wages?

Mr. McPHEE. Our pay roll here is \$2,500 a week.

Chief Justice HAZEN. Do you find that your individual wages that you pay to men in an individual capacity in your factory here are much larger than in St. John?

Mr. McPHEE. Of course, in St. John they have only four men, and the foreman there gets about the same as our foreman over here, practically. There isn't much difference except that we have only four down there as against a large number here.

Chief Justice HAZEN. But, as far as the individual wages are concerned, there is not much difference?

Mr. McPHEE. No.

Chief Justice HAZEN. A man in St. John gets about the same as a man in Gloucester?

Mr. McPHEE. Pretty near. Still, I think they are paid more here.

Chief Justice HAZEN. Can you tell us how much more?

Mr. McPHEE. Well, perhaps 20 per cent.

Chief Justice HAZEN. That is, men doing an equal class of work?

Mr. McPHEE. Yes, sir.

Mr. FOUND. What do you use for the purpose of manufacturing the poultry feed, on that end of your business?

Mr. McPHEE. On that end of it there is nothing but a common grinder, the same as one that would grind grain.

Mr. FOUND. And a dryer?

Mr. McPHEE. The dryer is a common dryer, manufactured in Cleveland.

Mr. FOUND. You collect over a considerable area?

Mr. McPHEE. Yes; from Gloucester down through beyond Halifax.

Mr. FOUND. You collect the raw material. How do you transport it?

Mr. McPHEE. They bring it into St. John by either boat or rail, and then we get quite a large stock from the St. John producers.

Mr. FOUND. In what condition does that raw material get here?

Mr. McPHEE. Most of it is from fish that are salt cured, have been on the flakes and dried.

Mr. FOUND. Using sounds?

Mr. McPHEE. No sounds at all, just offal.

Mr. FOUND. Internals and heads?

Mr. McPHEE. No internals—heads, skin and bone.

Mr. FOUND. Are you handling what is commonly called along our coast offal, entrails, heads and such like?

Mr. McPHEE. All but the entrails. We don't handle entrails or oily stock, at all.

Chief Justice HAZEN. If you could get more fish you would be able to extend that business?

Mr. McPHEE. Yes, sir.

Chief Justice HAZEN. And increase its importance to the city of Gloucester?

Mr. McPHEE. Very much so.

Mr. FOUND. What size packages do you put the chicken food up in?

Mr. McPHEE (handing catalogue to commission). Here is one of our catalogues, which I shall be glad to turn in to you; 5 or 10 pound packages and 100-pound bags.

Secretary REDFIELD. What disposition is made of the offal that is produced here in any of the canning factories or otherwise?

Mr. McPHEE. You mean by the offal, I suppose, the material we handle?

Secretary REDFIELD. The entrails?

Mr. McPHEE. I understand by the entrails, in common phrase, the insides,—the guts, in other words. We don't handle any of those. I don't think they are handled here.

Secretary REDFIELD. Is none of that material produced here in the canning process, at all?

Capt. SMITH. Not used at all.

Secretary REDFIELD. I ask the question because the director of markets of the State of California, who is himself a business man of large experience, called the attention of the Commissioner of Fisheries to the fact that the entrails, guts, are used on the Pacific coast to manufacture this very chicken meal such as you speak of producing here.

Mr. McPHEE. I never heard of it.

Secretary REDFIELD. The evidence available to us is that the product from all kinds of offal of the canneries of Alaska alone produces a product of that kind of an annual value of \$8,000,000.

Mr. McPHEE. You saw that in a magazine article?

Secretary REDFIELD. No; in a direct communication to me of the director of markets of the State of California, handed to me by the Commissioner of Fisheries within a fortnight. Anybody interested

can communicate with Mr. Weinstock, director of markets of the State of California, in San Francisco, and get the whole thing. It seemed to be a matter of very considerable interest to him.

Mr. MCPHEE. There is a plant also in Anacortes, Wash., where they handle a large amount of stock there, salmon and halibut, but I believe they have never used the entrails, never would use them.

Secretary REDFIELD. Of course, this is quite a new matter. I understand from the commissioner of fisheries of Canada that they are using those entrails on Fraser River for various purposes.

Mr. MCPHEE. I am glad to know it.

Mr. FOUND. For oil, and in Nova Scotia they are making glue.

### FACTS ABOUT THE "SEAL" IN HALIFAX HARBOR.

Secretary REDFIELD. If Capt. Frank C. Pierce is here, perhaps he can tell us accurately the facts in regard to his having been asked by the collector of customs at Halifax to sign an agreement concerning the vessel *Seal*.

Capt. SMITH. Capt. Atwood was the master, and he is not available, but I think I can state the facts. The *Seal*, one of our beam trawlers, went out on the banks and met with a mishap to the machinery. She went into Halifax to have some repairs made and get a few supplies. She bought the supplies, and the collector of customs asked the captain if he would sign that agreement not to fish within the 12 miles. He showed the captain the agreement, which the other beam trawlers had been signing, for one year, and Capt. Atwood said, "Well, I had just as soon sign for this trip." He said he was perfectly willing to do that, as he didn't intend to fish within the 12 miles, anyway. So he signed the agreement not to fish within the 12 miles for that trip.

Chief Justice HAZEN. The collector asked him to do what he had been asking our own fishermen to do, and he had no right to do so.

Secretary REDFIELD. There was a misunderstanding, and we will look into it more carefully.

Secretary REDFIELD. Is there anybody who can inform the commission as to the vessels sold from Gloucester to other countries in the last year or two, or two or three years, and as to the reason for their sale?

Mr. FREDERICK L. DAVIS. I don't think anybody in the hall can give the information, but I think I have figures available on that matter that can be ascertained, by reference to our records.

Secretary REDFIELD. We have in the Bureau of Navigation the actual transfers of all ships, and the reason why I am asking the question is because those records seemed to show that the number of vessels sold in each year of the last three or four years has been exactly 11; and yet I gathered the impression from something said in Boston that the number was thought to be very much larger than that. I wondered whether we could get accurate information from somebody.

Mr. DAVIS. I am of the opinion that possibly for the year 1917 11 vessels might cover it, but I think in 1915 and 1916 the number was larger. The number of those sold in 1915 and 1916 were sold



in order to get rid of them and to get new vessels, but those sold in 1917, I guess, were sold because of war prices, because there was so much temptation to sell, the prices being so great that they got their year's profit by selling the vessel.

Dr. SMITH. None sold in 1917, were there? They were not allowed to be.

Mr. DAVIS. Vessels were sold in 1917, just the same, out of port.

Dr. SMITH. Not to any foreign country?

Mr. DAVIS. I don't know where they went, but sold out of port. (Further statement on this matter by Capt. Smith, page 277.)

**STATEMENT BY MR. E. ARCHER BRADLEY, GENERAL MANAGER  
SYLVANUS SMITH & CO., GLOUCESTER.**

Mr. BRADLEY. Mr. Chairman, E. Archer Bradley.

Secretary REDFIELD. Will you kindly state your business?

Mr. BRADLEY. Vessel owner and distributor of fish. After listening to the questions asked by your honorable board and the replies that have been made, I am led to infer that Canada is willing to grant a concession by making the license fee for a vessel \$1 instead of \$1.50 per ton.

Secretary REDFIELD. Correct.

Mr. BRADLEY. It seems to me that principle is entirely wrong, and there has been only one witness you have had who has expressed himself that way, Capt. Peter Grant. When the treaty of 1818 was entered into, of course, the fishing business was a very small matter to both countries. As it grew and the matters of friction increased, the *modus vivendi* was entered into between the two countries. At that time Gloucester accepted it because she had a large fleet of bankers and was depending a great deal on the Nova Scotia ports for bait. Since that time the fleet of bankers has dwindled away, cold-storage warehouses have been erected along our shores, and there have been increased facilities for catching herring and bait fish here, so that the demand for the use of the Canadian ports for bait is very small at the present time. The conditions are still changing. As has been said here, a large percentage of vessels have auxiliary power. We are also enlarging our fleet of beam trawlers, and in a few years there will be a much larger fleet of beam trawlers. If we want to make the thing reciprocal, I should think our good Canadian friends would be willing that our vessels should have the same privileges in their harbors and along their shores as we grant them, and, in order to avoid friction later on, why not have a treaty made that will embody that? If the old treaty of 1818 still remains, and we have a sort of *modus vivendi* whereby the vessels here shall pay \$1 apiece license, we should have the same commercial privileges for our fishing vessels that other vessels have. As time goes along there will be changes in the methods of catching fish, with a liability to some more trouble, and we will have to go over the whole matter again. So it seems to me if our good Canadian friends desire to have mutual relations with us, as we certainly do with them, the concessions they should grant would be to grant our vessels the same privileges that we give their vessels at the present time. In that connection, I don't know that there should be this license fee that has been referred to.

Secretary REDFIELD. I don't understand that it is a matter of the dollar, the sum of money involved?

Mr. BRADLEY. No, sir; it is the principle.

Secretary REDFIELD. The principle of having any license?

Mr. BRADLEY. Yes, sir.

Secretary REDFIELD. I have tried to explain that the commission has not yet been able to search the matter to the bottom, but the present understanding is that that form of license is intended simply in order to comply with the terms of the old treaty, which was, so to speak, forced on Canada by the action of the British Government, rather than by action on the part of Canada. We are not sure yet, as we are going to look into that matter further, but I would ask you, apart from that, what further privileges you would suggest in order to bring about the condition of which you speak.

Mr. BRADLEY. The same privileges that their vessels have along our shores and in our harbors, within the 3-mile limit.

Secretary REDFIELD. Have you in mind any further changes on their side which that would involve?

Mr. BRADLEY. I hope it will involve the charging of a duty on the fish sold in our ports.

Secretary REDFIELD. That, of course, is not a matter that is within the province of this commission.

Mr. BRADLEY. Well, in regard to the 3-mile limit?

Secretary REDFIELD. That can not be altered, as a matter of international law. In both countries the conditions are the same in that respect. I didn't know whether you might wish to suggest other things, such as mending nets, cleaning fish, etc.?

Mr. BRADLEY. Nothing; except that I would include such suggestions, which have been made by other gentlemen.

Secretary REDFIELD. Then, what further concessions on our part might be necessary? If that condition was to be brought about?

Mr. BRADLEY. In what way?

Secretary REDFIELD. Well, there is a law of the United States, for example, which requires Canadian vessels navigating the territorial waters of the United States to report at the customhouse of the district, which I think Canada does not require us to do. That is a thing that we require of them that they do not require of us. If you went, for instance, to Portland, Me., where, from the geographical location, ships have to navigate in our territorial waters, you will find that many Canadian vessels are obligated to enter themselves there and report themselves, which they do not ask of us at all. Don't you think we should abandon that?

Mr. BRADLEY. Isn't that because of their going under register and our vessels having a different style of papers?

Secretary REDFIELD. No. It is a part of the old law in force, and it throws an interesting light upon this discussion. That very thing that some of our friends here this afternoon object to as likely to be destructive, in their thought, quite sincerely, has operated on the Pacific coast for a great many years, vessels being required to report at an American port, being granted clearance to any port they seek to enter, and then being allowed to go directly to the fishing grounds from the American port, and the entire halibut business of the Pacific Ocean is done on that basis and has grown up in that way. So the commission is required to consider how it can be that

on the North Atlantic the thing would work destructively while on the north Pacific it is consistent with a very large growth in the industry. That is why we desire to learn why these gentlemen think that what is proposed is likely to work harm here, whereas as a matter of fact on the Pacific coast the very same thing is in existence and works advantageously.

Mr. SWEET. If I get your idea, Mr. Bradley, you are in favor of what we call here the fifty-fifty idea?

Mr. BRADLEY. I think it should be reciprocal.

Mr. SWEET. That is, in reaching a conclusion on the whole subject it should be our endeavor to secure for the United States and for our vessels every privilege, so far as is reasonable and possible, wiping out all causes of irritation between the two nations for all time to come, putting them as nearly as possible on an equal basis with respect to their vessels in our ports and our vessels in their ports? Is that your idea?

Mr. BRADLEY. That is my idea.

Mr. SWEET. That is what we want to know.

Dr. SMITH. Would your objection that you first stated be met if Canadian vessels which were accorded privileges in our ports were subjected to the same form of license that is thought to be necessary for American vessels entering Canadian ports?

Mr. BRADLEY. I have a feeling, as I have stated, that as things go along there will be other matters of friction, and that we should have to go through this same hearing possibly again.

Dr. SMITH. If possible, you would like to do away with the necessity of a license for either country?

Mr. BRADLEY. That is the way I feel; yes, sir.

#### INFORMATION ABOUT SALE OF GLOUCESTER VESSELS.

Capt. SMITH. Mr. Chairman, the question has been asked why our vessels here were sold. They were sold because we got all or more than they were worth, sold because we got the value and got good prices for them.

Secretary REDFIELD. To what countries were they sold?

Capt. SMITH. Newfoundland, Norway, South Africa, West India Islands. We have sold some in the United States. I presume you referred to those that changed flags.

Dr. SMITH. Any to Canada?

Capt. SMITH. No, sir; I don't remember of selling a vessel to Canada.

Dr. SMITH. During 1917 or any recent year?

Capt. SMITH. No; we couldn't sell in 1917. Previous to that for the last three or four years we have sold vessels and bought them, for the last 10 or 12 years, and replaced them with some other vessels. There are some that have been sold by the captain or the owner desiring to get out of the business, because the vessels have not been profitable.

Secretary REDFIELD. Do I infer correctly, Capt. Smith, that this policy of yours is a regular policy?

Capt. SMITH. Yes, sir.

Secretary REDFIELD. Whereunder you treat your plant in what you regard from a business point of view as the most profitable way?



Capt. SMITH. We intend to keep it up, sell one and perhaps buy two.

Secretary REDFIELD. The sale of a vessel is not an indication of going out of the business?

Capt. SMITH. Not in our case, but there are individuals who have sold because they wanted to go out of business.

Secretary REDFIELD. It is a case of management of your own plant in what you consider is a profitable way to you?

Capt. SMITH. Yes, sir.

Dr. SMITH. Considering Gloucester as a whole, has the fleet of fishing vessels been practically maintained during the last three or four years?

Capt. SMITH. No, sir.

Dr. SMITH. Has there been a net loss?

Capt. SMITH. I think they have diminished some.

Dr. SMITH. Can you state the approximate amount of the loss?

Capt. SMITH. No. The customhouse records would show that.

#### **FURTHER STATEMENT BY MR. E. ARCHER BRADLEY.**

Mr. BRADLEY. Mr. Chairman, speaking about the fishing inside the 3-mile limit, at the time of the so-called treaty that was attempted, didn't Canada offer us the privilege of fishing within the 3-mile limit if we would admit her fishing vessels, allow them to fish within that limit?

Chief Justice HAZEN. No.

Mr. BRADLEY. I had the impression that they did.

Secretary REDFIELD. We are not so informed.

Dr. SMITH. Do the Canadian trawlers fish within the 3-mile limit?

Chief Justice HAZEN. No.

Dr. SMITH. They only do shore fishing outside of that limit?

Mr. FOUND. Yes.

Secretary REDFIELD. We have a number of captains here, and I suppose they can ask questions as well as answer them. We shall be glad to solve any doubts that anybody may have, if we can do so, if there is an opportunity.

#### **FURTHER STATEMENT BY MR. FREDERICK L. DAVIS, PRESIDENT GLOUCESTER BOARD OF TRADE.**

Mr. DAVIS. Mr. Chairman, I would like to say a few words myself. Our discussion here has seemed to tend largely to the questions of producing food at an economical point, cheapening food and also at the same time increasing the volume. You must take into consideration the fact that, while you ask the fishermen to produce food at a low price, what he is purchasing has been vastly increasing in price, and I don't hear anybody saying anything about reducing the price of what he is consuming. I would suggest that if what is here suggested goes into operation there are other people interested in the fishing business, who can not be heard today, and who might be injured. For instance, there is the man who makes the dories and has a large number of employees who get their livelihood by making dories. If this goes into effect he will make no dories in this section of the country. That will entirely disappear.

We must also remember that, while we have listened here to-day to these gentlemen, we have not listened to the men who will be injured, or the class of fishing that will be injured, providing this should take place. The man who will be injured is the man in what we call our haddock fleet. We have not had any actual acting captain of a trawl vessel who has spoken since you have had your hearings. You have had men who have been trawling but who have since adopted some other business. Therefore, his interest might be different, providing he is trawling at the present time.

If we adopt these propositions, the sail-propelled vessels that take fish to Boston will not be owned in Gloucester. That may seem rather funny, but that vessel will go just where the salt banker has gone. Before the free fish we had a large banking fleet here. That fleet has diminished, until we have hardly any. We had a large number of what we termed here outside vessels, vessels owned by individuals and not by companies, that went fishing, salt banking. They decreased until we have only one. That one is owned by a gentleman who resides part of the time in the United States and part of the time in Canada.

Now, undoubtedly we will have a large fleet of beam trawlers, but if the Canadian beam trawler comes into our market on an even basis we won't have a great amount of extra fish in our market to supply the demands of those who have no fishing vessels. They will take their fish to the Boston market when they are good. If not good, they will keep them in their own market, and the man who owns a beam trawler in the United States will also own a fish plant. Therefore, the man who is suffering and would suffer from want of stock for the salt fish business, and for distribution through the country, is going to be no better supplied with stock than he was before. He is going to be in the same position.

Now, relative to the cost of vessels, I am of the opinion that the cost of vessels in the United States and Canada to-day is nearly alike. But you must bear this fact in mind, Nova Scotia, after nearly four years in the war, has reached pretty nearly the peak in the cost of her production. We have been in the war but one year. Our peak has not been reached yet. We have not reached the top cost of our vessels. Therefore, our cost will increase, while their cost will practically stay where it is. We produce vessels made entirely from oak, and, as has been said, they are more valuable and will stand more strain. But remember that our best masters do not want to run a vessel when it is old. After a vessel is 5 or 6 years old our skippers want a new one; and when a Nova Scotia vessel is 5 or 6 years old it is not a very good vessel to go on the banks with, especially in the winter months. It would be injudicious to take it. So, really, there is not much difference in the life of the vessels. The Nova Scotia owner builds the best he can, but he has not the timber. We know that where vessels are injured and go to a Nova Scotia port to repair, they are very much troubled to get the timber to repair our vessels with, except at great cost, in a way that will satisfy the owner of the vessel. If it is not done right the owner is liable to have it built all over again when it gets back to our own country, because he will not accept a softwood vessel.

It was not many years ago when Provincetown, our neighboring city across the bay, was a large producer of fish. That business has

now been given up entirely. There is not any production of fish in the salt fish line, and we have gone out of it. Horace Greeley said to the young man to "go West." Well, the movement of the fishing business has been just the reverse of that. It has gone eastward, and will go still farther eastward. We will be distributors of fish, large distributors, but how are we going to increase our supplies except by beam trawlers? That is the question. As I understand it, to-day we are importing three-fifths of the amount of fish we have used in the port for the last year.

If we are to make any changes let us do it for the term of the war. All other economic propositions—and this is claimed to a certain extent to be an economic proposition—are based on one year after the war. Certainly the United States does not want to make any sharp trade with Canada; neither does Canada want to make a sharp trade with the United States which will cause friction after the war is over. There certainly will be friction if there is anything put up but half-and-half. There will be friction if there is any talk of licenses. We will not be satisfied. If your commission should think best to recommend that this should be adopted, think of it in the same way that you do of other business and have it terminate a year after the war. Then we won't make any agreement that will be irritating later on in our lives.

Dr. SMITH. Mr. Davis, will you kindly state whether we understand you correctly that the decline of the great salt bank fleet from large proportions to a single vessel has taken place since 1913?

Mr. DAVIS. Largely, quite a bit since then, but not all. It started—well, the time of reciprocity was our first starting point. The idea of reciprocity was started and defeated a year or two before we had our free trade.

Chief Justice HAZEN. Fifty years ago?

Dr. SMITH. No; the proposed reciprocity of 1911.

Mr. DAVIS. That is what I refer to.

Dr. SMITH. I understood Capt. Benjamin Smith to say there had been no material change in the Gloucester fleet in the last three or four years, since the establishment of free fish?

Capt. SMITH. The banking fleet. Our change started when Newfoundland shut us out. We did more business with Newfoundland with our salt bank fleet than we ever did with Canada.

Dr. SMITH. What was the year of the shutting out?

Capt. SMITH. I think 1905. That was because we couldn't go in and get tackle, bait, and ship men in Newfoundland. That is what started it, and it has gone on gradually.

Congressman LUFKIN. I think right after the defeat of the Hay-Bond treaty.

Mr. FOUND. I think you will find that in 1905 the Hay-Bond treaty was defeated.

Secretary REDFIELD. Capt. Smith, are your fishing vessels insured?

Capt. SMITH. Yes, sir.

Secretary REDFIELD. What difference in rates do you pay between an American-made and a Canadian-made vessel?

Capt. SMITH. I think it is 1 per cent. Mr. Johnson, here, can say if I am not right.



STATEMENT BY MR. JOHN A. JOHNSON, BUSINESS OF MARINE  
INSURANCE, GLOUCESTER.

Secretary REDFIELD. What is your name and business?

Mr. JOHNSON. John A. Johnson, in the marine insurance business, insurance and marine insurance.

Secretary REDFIELD. What is the difference in rates for a vessel of the same size and crew, between an American-built vessel and a Nova Scotia built vessel of the same type?

Mr. JOHNSON. I do not have occasion to insure the hulls of Canadian vessels, but on cargoes we charge 1 per cent more on a Canadian vessel, on a trip, coming from Canada to Gloucester.

Capt. SMITH. We have some Canadian hulls. John, that you insure, and you charge us 1 per cent more, on one hull, at least, the *Helen Ritcey*.

Secretary REDFIELD. The difference depends on the actual difference in the hull, rather than upon the place of construction?

Mr. JOHNSON. Yes; there is the point in regard to construction that has been brought out here to-day, that an American-built vessel is much more able to stand the weather and the rocks.

Secretary REDFIELD. In what respect?

Mr. JOHNSON. It is built more strongly. I suppose the oak is a great deal stronger than the softwood that the Canadian vessel is built out of.

Secretary REDFIELD. Is there any difference in design or in model, any difference of that sort, that might account for it?

Mr. JOHNSON. That would not enter into it at all.

Secretary REDFIELD. Your understanding is that there is a difference of 1 per cent in the insurance?

Mr. JOHNSON. Yes, sir. The underwriters charge 1 per cent more, that being the point at issue, that the American-built vessel on the rocks will stand a great deal more pounding than the Canadian vessel.

Secretary REDFIELD. Who are those underwriters?

Mr. JOHNSON. The Boston Insurance Co. and the Providence & Washington Insurance Co.

Secretary REDFIELD. Do you know what the custom of Lloyd's is?

Mr. JOHNSON. The English concern?

Secretary REDFIELD. Yes. Do you know what their custom is in that respect?

Mr. JOHNSON. No; have no dealing with Lloyd's.

Secretary REDFIELD. Is the firm of Lloyd's represented in Gloucester?

Mr. JOHNSON. It is not.

Secretary REDFIELD. Your vessels would not come under any of their specifications?

Mr. JOHNSON. No, they are not registered as Lloyd's would have it.

SIGNING OF THE HALIFAX AGREEMENT.

Mr. CHARLES WILSON. Mr. Chairman, I would like to ask Chief Justice Hazen a question. What was the objection to your collector at Halifax asking the captain of the American beam trawler to

voluntarily sign an agreement which he was asked to observe because by law your own beam trawlers are obliged to observe it?

Chief Justice HAZEN. The reason is that we have no jurisdiction outside of our own territorial waters, except in the case of vessels that clear from our own ports. If they are vessels from our own ports, and our own vessels, we can impose restrictions upon them; but we can not impose restrictions upon vessels clearing from other ports outside of our own territorial waters.

Mr. WOXSON. I understand, sir; but I think you did not quite get the question. Supposing I was the collector of the port of Gloucester, and one of your Canadian beam trawlers came in. Suppose we had a like law in this country and I asked him to voluntarily sign an agreement to abstain from fishing within such a limit of the shore, what would be the harm in that?

Chief Justice HAZEN. In that case, your collector would be asking our Canadian captain to enter into an agreement which the State of Massachusetts or the Government of the United States has no power to enforce, because you would have no jurisdiction outside of your territorial waters. You could ask him to do it, but there would be no means of making him do it.

Mr. WOXSON. I understand, but I was asking what the harm was. I suppose the man thought he was acting in the interests of his own country, and was justified.

Chief Justice HAZEN. It would be an entirely useless agreement, because there would be no right to enforce it against an alien vessel here. Your collector would have no power to enforce it.

Secretary REDFIELD. It would be what the lawyers call *ultra vires*.

Mr. WOXSON. Then you would take the stand that no man should do a thing for the public good unless he is obliged to?

Chief Justice HAZEN. A man should not require a thing to be done that is outside of his authority. It would really be an impertinence.

Mr. WOXSON. There was no pressure brought to bear on the captain, was there?

Chief Justice HAZEN. Not that I know of. I don't know what occurred.

Mr. WOXSON. There was a statement made in Boston that there was pressure brought to bear.

Chief Justice HAZEN. Well, the collector had no such right, anyway. He would be acting in excess of his authority. The regulation, I may say to you, was put into effect by the Canadian Government. There was an immense deal of opposition among our schooners to the operation of the steam trawlers. They claim that the steam trawlers came in and operated outside our shores, made our ports their base, and worked destruction to our fishermen using other vessels; that by contact with gears and nets a good deal of destruction was caused; and, in order to protect our own fishermen as best we could, as far as we had authority to do it, we said that no steam trawlers from our ports should be allowed to operate unless they agreed to operate 12 miles outside.

Mr. WOXSON. I understand, but there has been a strong intimation that the captain of the American beam trawler was refused clearance, you will remember, and that is a thing that I wanted to clear up.

Chief Justice HAZEN. I don't think that would be possible. If so, it was through an absolute error on the part of the collector.

### OBTAINING COAL IN CANADIAN PORTS.

Mr. FREDERICK L. DAVIS. I would like to ask the chief justice a question. Under the general navigation laws I understand that your country will allow an American steamer, a fishing vessel, enough coal to reach its own country, without any license?

Chief Justice HAZEN. Under the treaty of 1818 you can not get coal in our ports. The treaty of 1818, which is the treaty that gives you rights, allows you to go into our ports for four purposes, and for four purposes only—for shelter, repairs, wood, and water. But I have no doubt if one of your vessels got into port and needed coal we would be very glad to give you the right to get it. As a matter of right, however, you can not take it.

Mr. DAVIS. Then the collector, in order to do the thing correctly, would have to get a permit from the Government?

Chief Justice HAZEN. Under the treaty of 1818, if such a vessel desired to get coal, word would have to be sent to Ottawa, stating the circumstances, and permission would have to be obtained. That would be under the treaty of 1818, which was entered into long before the Dominion of Canada had existence.

Mr. MARSHALL. Will you tell me, Chief Justice, whether your people are desirous of exercising the privileges of our ports, in the way suggested? Do they want that privilege, and urge it?

Chief Justice HAZEN. There is a great deal of difference of opinion among our fishermen, as there is here; but, on the whole, I think our fishermen value the privilege of coming into your markets.

### CLOSING STATEMENT BY HON. WILLIAM C. REDFIELD.

Congressman LUFKIN. Mr. Secretary, have you any idea at about what time the finding of your board will be finally made?

Secretary REDFIELD. None whatever.

Congressman LUFKIN. Within six months?

Secretary REDFIELD. It will depend on how long we take on the Pacific.

Congressman LUFKIN. You plan to have other hearings on the Pacific coast later in the spring?

Secretary REDFIELD. Yes, sir; and the dates have not been definitely determined upon with regard to the Pacific coast hearings. We plan to go to Seattle and other points on Puget Sound, to British Columbia points, and perhaps to Alaska points; and, while this matter is up, let me say that we shall be glad, now or later, through you or others, Mr. Congressman, to receive any statements of fact which anybody may consider pertinent in the matter. Anything sent to us will be given full consideration and will be made a portion of the record. I also desire, on behalf of the commission, to express our appreciation of the courtesy shown to us by the Master Mariners Association, and I shall request the secretary of the commission to enter upon the record the unanimous thanks of the commission to the Master Mariners Association. If I knew that any officer of that association was present, I should be very glad to ex-



tend to him our thanks in person. As it is, we are all grateful for the courtesies shown; and we desire also to express our thanks to the officers of the city of Gloucester for their kind entertainment of the commission at luncheon to-day. We are notified in advance that our friends of the board of trade have similar hospitable intentions toward us this evening, and, as the time has not yet arrived, I will simply say that "for what we are about to receive we are duly thankful!"

I appreciate, gentlemen, as all the members of the commission do, that this matter comes very near your hearts and thoughts. I beg you to believe that there is no one of the American commissioners who does not have a keen personal feeling of pride in the history and the work of the men of Gloucester. It is one of the fine stories of American life and American history. What Gloucester has been, what her men have achieved and suffered, forms one of the finest pages of our story. We are not likely to take any step which we would conceive to be harmful to such a community, with such a record and such deserts. The magnificent story of Gloucester makes a strong appeal to the hearts and minds of the American people. Of course, we are all bound to consider the interests of America, for, after all, we have only the right to exist and prosper as we serve the American people. The moment you and I serve ourselves first and the American people second, we have begun the process of self-elimination and we shall inevitably be eliminated out of existence through the normal processes of economic life. The parties at interest in this matter live all over the American Continent, and are not confined to any part of it. Some of the parties in interest are not yet born; others are passing to a higher sphere. But we are here on behalf of the American people, and the men without whose purchases and the women without whose cooking Gloucester would starve to death are the primary people to be considered, of course. Without their support, without doing for them supremely, Gloucester must wither up and die. It is because you have served them well in the past, and because they look to you to serve them well in the future that Gloucester has been great, and in the future will continue to be great.

I again assure you of our appreciation of your goodness to us. In behalf of our friends from Canada, I thank you for your services to them. We know perfectly well what the past has had of annoyance, troubles, anxiety, and uncertainty to you on their account. They now come here in the most cordial spirit of helpful good will. We who have had the privilege of living with them, so to speak, for days, have drunk deep at the fountain of kindness and helpfulness which flows from them in every way. I ask you to believe of them that their every thought is to be helpful.

It has been suggested to me, as it was suggested by a gentleman here to-day, that this thing should, if possible, be arranged on a continental basis, that we ought no more to have jealousy and friction across an imaginary line, any more than there should be jealousy existing between Massachusetts and New York, between Kentucky and Tennessee, or between Texas and New Mexico, to-day. Such jealousy and friction did once exist, you know, between people of those sections. There was a time when Massachusetts did not get on well with New York, when Vermont and New York squabbled, when

even Tennessee sought to impose a tariff on the rest of the country; and I myself, a commercial traveler, had to run out of the State of Virginia because I did not have a license to do business in the State of Virginia. Those things, as we look back on them to-day, seem strange, as belonging to days of small things. So let us hope that in some way, however partial, we may be able to live a larger life in the days coming, as an outcome of problems confronting us to-day. [Applause.]

### CLOSING STATEMENT BY CHIEF JUSTICE HAZEN.

Chief Justice HAZEN. I simply wish to say, Mr. Secretary, that I thoroughly agree with the words so well expressed by yourself with reference to the courteous treatment that we have received at the hands of the people of the city of Gloucester. We are especially indebted to the Master Mariners Association, who have placed this hall at our disposal to-day and have done all they could to provide us with very facility for having a well-conducted and interesting meeting. We are also indebted to the mayor and city council of the city of Gloucester, not only for the cordial nature of the reception they gave us on our arrival in the city this morning but also for the very charming hospitality they extended to us at the noon hour; and we shall be further indebted to the members of the board of trade for the entertainment that will be given us to-night. In fact, I think if my colleagues and myself stayed longer in the United States we would be killed with kindness. It would be a very pleasant death to die, you know, but, still, we don't want to be put to that death until we have finished our labors and have made a report, which I hope will be acceptable to both countries.

I wish to say that from the very outset the Secretary of Commerce and the gentlemen associated with him have viewed this matter from a very broad, liberal, and statesmanlike standpoint. They realize, as we who live to the north of you on this continent realize, that we and those who come after us are going to be neighbors on this continent as long, I trust, as time endures. We all like to live on terms of amity and good will with our neighbors, and, as you are our neighbors and we yours, we desire to live on terms of amity and good will with you. We have different political institutions, live under different forms of government. Each has a good deal to recommend it; each does not contain everything desirable; each is not the best in every respect.

There are features in our form of government which we prefer to yours; there are features of your form of government that you prefer to ours. But I think there is ample room for the friendly and neighborly development of our two great communities on the North American Continent. In trade matters we must always be actively associated, as we are in social matters to-day. Every day there is marrying and giving in marriage between the countries to the north and the south. We have acquired an annexed many of your best citizens in that way, in the same way that you have annexed and acquired many of the best of ours. The same blood runs in the veins of many of the people of this country and many of the people of ours, and, while you have many things we desire, we also have many things that you desire. There ought to be the best

of mutual respect and good feeling between us; and in all our negotiations I am sure we shall be animated not by the narrow desire on the part of each to try to take advantage of the other, but by the broader and bigger desire of trying to do what is best for humanity, what is best for the progress of the people of both countries and of the world.

I shall remember for a long time, with feelings of the deepest pleasure, my visit to Gloucester to-day. Gloucester has been known to me, as to many on this continent and outside of this continent, as one of the cities of the old Bay State whose sons from the time of the earliest settlement of the country have gone forth to reap a harvest from the seas. They have done much in the way of providing food products for the people of the community in which they live and have also in the past been in a large measure the nursery of the Navy of the United States.

Living myself in a maritime community, down by the Bay of Fundy, not very many miles from the State of Massachusetts, and being the descendant of men who came from England to this Bay State, as the Puritan ancestors of many of you did, because they wanted to live in a better and freer atmosphere than that of the old land, who subsequently left this Bay State and went and settled on the rocky shores of the Bay of Fundy, I feel that I am connected with you and that I and my family have been connected with you through many generations, because before the war of the American Revolution, before the slight difference of opinion that occurred between George Washington and George III. my ancestors were living at St. John, carrying on business there, shipping fish, lumber, masts, and other commodities, to their firm in Newburyport, where they were established, as well as in the city of St. John.

I am delighted to have met you here to-day. I have heard things that have placed questions concerning the fisheries before me in a light that I did not understand before. I think we members of this commission are all learning as we go along from day to day. The questions before us for discussion and the views of gentlemen interested in these fishing questions have been presented to us in a fair, moderate, gentlemanly, and admirable manner in every respect. We are going to take the American commissioners on to Canada, leaving here Saturday night. They will first go down to St. John, where they will have an opportunity to meet the representatives of the fishing interests in the maritime Provinces, and no doubt views will be expressed on this question that are different from the views expressed here. I only hope they will be expressed as moderately, as fairly, as intelligently, and as well as they have been expressed in Boston and here to-day.

A little later on, as has been stated by Secretary Redfield, we will go to the Pacific coast, to hear at first hand about the conditions along that coast. We will first proceed to Washington, then to British Columbia, hearing from the American and the Canadian fishermen, and will no doubt go as far north as Prince Rupert and Ketchikan, and perhaps to other ports of Alaska, for the purpose of obtaining the views of the people there, as we are now obtaining the views of the people in the East. After that we will sit down to meditate upon and digest what we have received, and, while no man



can tell whether or not we shall arrive at an arrangement that will be satisfactory to both countries, if we do not do so it will not be because we shall not try to do so. It will not be because we are not impressed with the necessity and desirability, not only from the standpoint of the continent, but from the standpoint of the world as well, of arriving at a conclusion which shall remove some ground for irritation that has occurred between yourselves and your less populous neighbor to the north.

I thank you, gentlemen, very heartily and cordially, in behalf of the Canadian members of this commission, for the very kind reception you have accorded to us in this ancient and historic city of Gloucester. [Applause.]

Mr. W. A. REED. Mr. Chairman, I feel that your records would not be complete if I did not at this time, as secretary of the Gloucester Board of Trade, say just a few words, voicing the sentiments of every person in the city of Gloucester, of appreciation of the great honor and compliment which we feel that the commission has paid us in coming to Gloucester. We have no golden key of the city to offer you; but I voice the feeling of every official and of every individual in the city of Gloucester when I say that we trust that your reception has been all that you would desire; and I assure the honored gentlemen representing Canada that those whom they represent, whom we have in the past seen fit to refer to as cousins, will in the future be accepted by us in the fullest sense of the term as brothers. [Applause.]

Secretary REDFIELD. We will now adjourn, to meet in St. John, New Brunswick, on Tuesday next.

(This closed the hearing.)

## HEARINGS AT ST. JOHN, N. B.

ST. JOHN, NEW BRUNSWICK, *February 5, 1918.*

The St. John hearing of the American-Canadian Fisheries Conference was held in the equity court room, beginning at 10 a. m.

Present: Hon. W. C. Redfield, Secretary of Commerce of the United States; Hon. Edwin F. Sweet, Assistant Secretary of Commerce of the United States; Dr. H. M. Smith, Commissioner of Fisheries of the United States; Hon. J. D. Hazen, Chief Justice of the Province of New Brunswick; W. A. Found, Esq., Superintendent of Fisheries of Canada; E. T. Quigley, Esq., Secretary of the American delegation; Arnold Robertson, Esq., of the British Embassy at Washington, Secretary of the Canadian delegation.

Among those in attendance at this hearing, in addition to the members of the American and Canadian delegations to the conference, were the following:

S. Y. Wilson, representing the Leonard Fisheries of Halifax, and also president of the Canadian Fisheries Association.

B. B. Brittain, port fishing overseer.

George Robinson of Cambridge, New Brunswick, representing the general fishing offices.

J. C. Chesley, local agent of the Marine and Fisheries Department.

Havelock Wilson, St. John, inspector of pickled fish.

Walter Leonard, president of the Leonard Fisheries (Ltd.).

E. S. Warner, New York, purchasing agent for the Booth Fisheries.

J. F. Calder, of Campobello, inspector of fisheries.

M. M. Gardner, of Lunenburg, Nova Scotia.

B. A. Smith of Gloucester, representing the Gorton Pew Fishing Company.

Alfred H. Brittain, managing director of the Maritime Fishing Corporation (Ltd.), with general offices in Montreal and branch offices in Canso, Digby, Nova Scotia.

R. E. Armstrong, secretary of the Board of Trade.

Harry A. Belyea, Hilton Belyea, Robert E. Wilson, W. A. Spence, Percy Lomax, J. J. Melanson, of St. John.

John Jackson, of St. John.

Howard Elleson, St. John.

Emery Lambert, Deer Island, New Brunswick.

Sumner Hartford, Deer Island, New Brunswick.

T. R. Ferguson, chairman Canadian Board of Steamships, Ottawa.

H. B. Short, manager Maritime Fish Corporation at Digby.

Fred L. Davis, president Gloucester (Mass.) Board of Trade.

Scott E. Morrill, attorney.

Hon. Mr. Redfield made the following statement:

Mr. Commissioners and gentlemen, it is at the unanimous request of the commissioners from the United States that our friend and colleague, Chief Justice Hazen, will preside at all the meetings of the commission held in the Dominion of Canada, and I wish to make it known that it is because we earnestly desire that he do so that he is presiding to-day as chairman.

## OPENING STATEMENT BY CHIEF JUSTICE HAZEN.

Chief Justice HAZEN. At the meetings which we have held in the United States our friend Mr. Redfield, Secretary of Commerce for the United States, has acted as chairman at my suggestion. I am sorry that he will not continue to act as chairman, because the way in which he has presided has been most satisfactory in every respect. It is hardly necessary for me to outline the object of this conference or the meeting here to-day. You gentlemen of course are aware that under the treaty of 1818 the only rights which American vessels possess in Canadian ports are the right to enter these ports for shelter, for having repairs made to their vessels, for obtaining wood, and for obtaining water. These are the only four purposes for which an American fishing vessel has the right to enter a Canadian port. An attempt was made to extend that right by treaty about 30 years ago—or over 30 years ago. Commissioners appointed by both countries entered into an agreement under which if the United States would give free admission to Canadian fish in American ports, Canada would give American fishing vessels in her ports practically the same rights as the fishing vessels of her own country possessed, i. e., the right to come in not only for the four purposes mentioned but for buying bait, supplies of all kinds, of shipping their crews, of transshipping their fish back to the United States, and for other purposes.

This agreement entered into was not to be in the form of a treaty, and did not meet with the approval of the Congress of the United States and therefore became ineffective. But while the matter was under consideration by Congress, the Parliament of Canada passed legislation under which they had the power to issue licenses to American fishermen—what have been known as *modus vivendi* licenses. This was passed as a temporary measure, pending the ratification by Congress of the agreement, and for 30 years the Government of Canada has gone on year by year passing an order-in-council extending for the next year the power to grant these licenses. Under that, American fishing vessels have had the right to take out Canadian licenses, paying therefor \$1.50 per ton of the registered tonnage of their vessels, and having taken out that license could come into our ports for the purposes outlined, shipping crews, buying bait, transshipping their goods through our country in bond. That has been merely a temporary matter and this privilege has been granted to the fishermen of the United States year by year by the grace of the Canadian Government for a period of 30 years. That is only given to vessels propelled by sails. Vessels driven by steam or propelled by motive power of any sort other than the wind have no right to take out that license, and to-day when fishing vessels more and more every year are being propelled by steam or other motive power it will be seen that the advantage to be obtained from these licenses by the American fishermen are getting gradually less, as they are confined as I have said to vessels propelled by the wind.

In 1913 the Government of the United States, under the Underwood tariff, placed fish upon the free list. That was the consideration that the Government of the United States was to give under the treaty of 30 years ago, in consideration of our giving them the



privileges of our ports; and having placed fish upon the free list a few years ago the Government of the United States communicated with the Government of Canada and suggested that as fish had been placed upon the free list in the United States, and Canada had obtained practically what was sought in the treaty of Washington 30 years ago, that Canada might in return give to the American fishermen the extended privileges in our ports that would have been given them in that treaty. In reply to that the Government of Canada pointed out that this right of admission of free fish was not given as any special favor to Canada, but was a matter simply of tariff policy on the part of the party then in power, that there was no guarantee of its being permanent—it might be decided as a matter of domestic policy to change the tariff and to place duty upon fish going into the United States—and that the matter was simply one of domestic policy and adopted by the United States from its own standpoint and not as the result of any treaty with Canada and Great Britain.

We also pointed out that while for 30 years we had been giving admission to the American fishermen to our ports, and now the United States was giving our fish free admission to their markets, that our fishermen were not getting the full advantage owing to certain navigation and customs laws prevailing in the United States; that while we had free admission for fish, our fishing vessels could not take their catches to an American port from the fishing grounds—they were compelled by the United States laws first of all to come to a Canadian port and transfer their catch into a merchant ship, or else the fishing vessel having come into a Canadian port was compelled to register as a commercial vessel before proceeding to the port of the United States and there sell its catch; and that this to a great extent delayed and hampered our fishermen, and that more than that, having sold their catch in a port of the United States, our vessels could not clear directly for the fishing grounds—they were unable to go by the shortest cut—but had to clear to a Canadian port and clear from there to the fishing grounds, thus practically going by way of the two sides of a triangle rather than by the short cut—by way of the hypotenuse; that in endeavoring to preserve our lobster fisheries by close seasons along our coast we were hampered by the fact that American fishing smacks came across during the close season and just outside of the 3-mile limit, which is the extent of our jurisdiction, they there caught lobsters, came into our ports at night for shelter as they had a right to do under the treaty of 1818, and that our fishermen had the pleasure of sitting on the shore and looking across the 3-mile limit and seeing the American fishermen catching the lobsters that we were endeavoring to protect by our legislation.

I may say that we had hardly stated this fact at the first of our conferences before the Secretary of Commerce said that the Congress of the United States would, in his opinion, pass legislation which would make it impossible for American vessels to engage in this practice in the future. We pointed these things out to the United States, and as a result of that the Government of the United States suggested that a commission be appointed of representatives of both countries for the purpose of holding a conference and dis-

Discussing these matters and all other matters outstanding with regard to the fisheries between the two countries, and in compliance with that request of the Government of the United States, they having appointed a member of President Wilson's Cabinet, the Assistant Secretary of Commerce, Mr. Sweet, and the leader of their fishery department, Dr. Smith, I was appointed by the Canadian Government, and associated with me are Mr. Desbarats, the deputy minister of naval affairs, and Mr. Found, the superintendent of fisheries. I am sorry that Mr. Desbarats is unable, in consequence of illness, to be here in St. John and was not with us in Massachusetts during the last week. This conference commenced its sessions in Washington some weeks ago. We spent about 10 days in that city. We had a good deal of information submitted to us, and I may say that we have not come here to teach the fishermen; we have come to get instructions and to find out what their views are with respect to these questions. As was natural, in the United States we found a difference of opinion. There were people engaged in the fishing trade there most anxious that the door should be opened as widely as possible—that no restriction should be placed on any Canadian vessel taking fish into the United States; we found others who feared that if these restrictions were removed the fishing interests would practically be transferred to Canada and injury done to the fishing interests of Gloucester and other places in the United States. Some went to the extent of saying they preferred to have the privileges cut off altogether of admission into Canadian ports rather than give to Canadian vessels the right to come unrestricted into their ports.

The whole matter was discussed most fairly—there were differences of opinion and honest differences of opinion. Having obtained as far as we could the views of the fishermen in Boston and in Gloucester, we have come on to St. John for the purpose of hearing the views of those who are interested in the industry in this part of the country, and if necessary to do so we can hold further meetings in the Maritime Provinces. This is only a part of the duties of the commission, as we have to deal with questions on the Pacific coast, to a great extent similar to the differences existing here. Very large fishing operations are carried on in the waters to the north. I may say, that while on the Atlantic coast Canadian fishing vessels can not clear directly to the fishing grounds from United States ports, I find rather a different construction placed on the law on the Pacific coast, and Canadian fishing vessels which on the way to the north come into Ketchikan from that port do clear directly to the fishing grounds. They are cleared by the collector of customs. So that a different policy prevails on the western coast from the policy that prevails on the Atlantic coast. But apart from those questions on the Pacific, which are of as much interest there as on the Atlantic coast to-day, British Columbia being the greatest fish-producing Province in Canada, we have questions in regard to the protection of the halibut industry on that coast. No halibut are now caught within the territorial waters and the fishermen have to go farther north. The industry is being overfished and there is great danger of it being destroyed. The matter can only be regulated internationally, because the fishing takes place beyond the jurisdiction of

the United States and Canada, and the matter can only be controlled by an arrangement between the Governments of the two countries.

Then the important question of the fisheries of the Fraser River, the breeding ground of the sock-eye salmon on the Pacific coast—the most valuable fisheries on the coast. These fisheries are being depleted very rapidly and unless something can be done by agreement between the two countries there is every probability that the salmon fishing on the Fraser River will in the course of a few years be a thing of the past. The salmon going up the Fraser River to spawn die before returning to the sea—that being one of the laws of Nature. In going up the Fraser River the salmon pass through American territorial waters along the coast of the State of Washington below the British Columbia boundary line, and along that coast all sorts of traps have been set for the purpose of catching them, with the result that you can hardly conceive how it is possible for a salmon to get past at all, and the salmon who do get past and get to the Fraser River are met there in a season when drifting is permitted—with boats and nets that cross and recross one another—practically all the way from the estuary of the Fraser River up to the bridge at New Westminster, and the only chance for the fish to pass is during the weekly close of 42 hours. The result is that it will be only a matter of a few years until that industry disappears, unless regulations and laws are framed and enforced by both countries for the purpose of protecting these fish on their way to the river and in the river, and one of the duties we have to perform is to consider that whole question—go to British Columbia, get the advice of people in Canada and the United States, and consider what is to be done for the preservation of that industry which is of very great importance to the people of the western country.

We have also had brought before us questions of other fisheries, and we want to say to you gentlemen interested in the fishing industry we will be very glad to hear your views regarding any subject relating to fisheries, in which you may be interested. We have views regarding the sardine fishery, and the fisheries in Lake Champlain, where it appears that the States of Vermont and New York have abolished seining, and the Canadians are continuing the practice. It is almost the converse of what has been done with lobster fishing on our coast. We have even had questions brought before us with regard to the seal industry in the Pribilof Islands, and I think it would be well to hear the views regarding the shad fisheries, which have been growing less of late years, and which have not shown the increase which I hoped they would from the establishment of the shad hatchery along the River St. John. The shad is a very delicate fish and there has not been the same effect in replenishing fisheries with it as with the salmon.

I think it is the first time in the history of diplomatic relations that a commission composed of citizens of both countries has met in joint conference. As Secretary Redfield has described the matter it is open diplomacy. We are not trying to get the advantage of the United States and they do not wish to get the better of us. We desire to come to an arrangement fairly in the interests of both countries, in the interests of that great heritage given to us in the seas, and in the interests of the conservation of food so much desired at the present time. We want an arrangement—as a gentleman in



Boston said—on a 50-50 basis which will be an advantage to both countries, from which both countries will reap advantage, and one which will be on the whole to the mutual advantage of both. I might say that both in Boston and Gloucester I extended an invitation to fishing industries there to come to St. John and I see that Mr. Smith, who is a representative of the largest fish distributing house in the United States, has accepted that invitation. I will be very glad if Mr. Smith will himself take any part in the proceedings that he thinks desirable.

#### STATEMENT BY HON. WILLIAM C. REDFIELD.

Secretary REDFIELD. On behalf of the commissioners of the United States, I very cordially concur in the views submitted by Mr. Chief Justice Hazen. We feel very strongly that it is more than desirable that some arrangement be permanently made whereby the officers and crew of a Canadian vessel shall feel at home and welcome in an American port, and that our officers and crews shall in their turn feel perfectly comfortable and happy and welcome in a Canadian port. It is impressed upon us that the whole world to-day is in need of food; that the question of the food supply is one upon which people are thinking as they have never thought before; that the meat supply of the world is menaced, and it may be long years before we shall get back, if we ever do, to where the world stood five years ago as regards the supply of meat; that under these circumstances it may be a necessary part of our future life to look more largely to the sea than ever before. That condition is impressing itself not only upon the mass of the people of the United States and of Canada, but upon the people of Great Britain and France and the other continental countries of Europe. Furthermore, you of Canada and we of the United States are engaged in the same great cause—our sons are fighting on the same battle fields for the same ideals, for the same purposes with one common aim—one common great enemy threatens us all. If Germany shall secure, as Germany avows her desire to secure, dominion over the world's sea, then Germany will threaten Halifax and St. John and Boston and New York alike.

Thus being united in the greatest of all struggles, it seems to us normal and right that we should learn what the relatively small things are which cause to one or another of our fellow citizens expense, trouble, and annoyance, in order that we may if possible remove those causes of friction and live together in our daily occupations in that way which shall be most profitable to everybody, most productive to everybody, having in mind the people of both countries rather than any interest in both countries, having in mind the common need of the common man and woman all over the two great nations for food, for abundance of it at a reasonable price. We recognize, of course, perfectly well that a great purchasing and distributing business like that must bring to those engaged in it a righteous and a proper and a continuous, and as far as may be in human affairs, a certain remuneration, but we also recognize that it is a business in which all the population of all the countries are interested supremely. It is a matter which affects the very national life itself much more so than it has ever affected it in the past, and our

desire is to look at it in the broadest possible way and deal with it in the most generous spirit of common good fellowship.

Chief Justice HAZEN. When we were in Boston and Gloucester, it was contended on behalf of the fishermen there that the men who fished from the ports of Nova Scotia could carry on their business more cheaply than the men who fished from Gloucester—that their vessels cost less, they paid less wages, and their supplies cost less; and in consequence of all that they would be in a position to undersell the American fishermen or cause them to transfer their business to Canada. It was contended at Gloucester that an American fishing vessel of 100 tons would cost very much more than one built in Canada. The claim was put forward that it would cost more, because it was better built—built of oak, while ours were built of soft wood—and the first cost would be very much greater to the inhabitant of the United States than to the inhabitant of Canada. There also was information that the American vessel would last longer than a Canadian vessel—that the latter was considered old at six years, and an American vessel might be cheaper in the long run. What I want to get is exact information regarding the cost of vessels in Canada, the wages that are paid, and the cost of supplies. Mr. Gardner, as a representative of the fishing industries of Lunenburg, could you give us some information on these points?

**STATEMENT BY MR. M. M. GARDNER, REPRESENTING FISHING INDUSTRIES OF LUNENBURG.**

Mr. GARDNER. I can give you information as the questions come: as to the cost of vessels, Mr. Chairman, we pay a contract price for a vessel's hull and spars in our shipyards of \$18,000 to \$22,000. I do not know how that compares with the American cost. There is no doubt about it that the oak put in some of the American vessels may be of better quality than the wood that we have, although we desire to get as much of the hard wood as we can get into the vessels. It has also been contended that our vessels at six or nine years are old. Well, some of the American vessels have been lasting longer—those are well-known facts.

Chief Justice HAZEN. You say the cost to-day of building a 100-ton schooner with its masts—that does not include sails—would be from \$18,000 to \$22,000; what would that be built of?

Mr. GARDNER. The floor timber would be of hardwood—of oak and beech. Her top planking would be of soft wood.

Chief Justice HAZEN. Hardwood obtained in Canada?

Mr. GARDNER. Yes.

Chief Justice HAZEN. What is your opinion as to the life of a vessel of that sort as compared with one constructed of oak?

Mr. GARDNER. I presume the American vessel would have a longer life, although some of our vessels at 9 years of age appear to be as good as a vessel quite new. Some of the wood seems to be more lasting than some of the vessels built of the same material may be at 6 years.

Chief Justice HAZEN. When you speak of the price do you mean the price to-day or before the war?

Mr. GARDNER. I am speaking of to-day—vessels in which we are interested which we have contracted for for \$22,000.

Chief Justice HAZEN. Has there been an advance in the cost of late years?

Mr. GARDNER. Yes, indeed; that same vessel could be contracted for for \$12,000 in 1912 or 1913.

Chief Justice HAZEN. Now, with regard to wages, will you tell us the system that prevails in Lunenburg for the payment of wages? Perhaps you had better tell us first about the outfitting of the vessels.

Mr. GARDNER. The sails—we use the imperial cotton duck made in American markets. At the present time our wire rigging is all purchased in Canada. Before the war we got the English wire. At that time the wire manufactured in Canada was not as good as that manufactured to-day. I am informed that they now have English wire makers who have given them the way of making the wire similar to the English make.

Chief Justice HAZEN. Do you know how the cost of wire goods to-day compares with what is paid in the United States?

Mr. GARDNER. No, I do not know, sir. I know that the cost of wire to-day is just about double what it was before the war.

The dories which the fishermen use are most of them built in Shelburne and Lunenburg. I understand that the greater number of the American vessels buy Shelburne dories. I do not think any of them come to Lunenburg.

As to the wages, Mr. Chairman, our men are paid on what we call one-half lay—that is, half the stock of the vessel. They deduct from the gross stock of the vessel the charges for bait and of the curing of the fish, and one-half of the net stock is divided to the men and to the vessel.

Chief Justice HAZEN. How about the officers?

Mr. GARDNER. The captain receives 5 per cent of one-half of the net stock, together with  $2\frac{1}{2}$  per cent from the gross stock. The cook is paid by the men from their share wages from \$100 to \$125 per month.

Chief Justice HAZEN. Who pays for the provisions?

Mr. GARDNER. The vessel owners. The vessel owners supply everything that goes on board the vessel. The men simply go on board the vessel and catch the fish.

Chief Justice HAZEN. First of all they deduct the expenses of the vessel?

Mr. GARDNER. No, sir; only these charges—the bait, the cost of drying the fish,  $2\frac{1}{2}$  per cent commission for the captain and the wages of two young men or boys—probably 18 or 19—they take with them to dress the fish. Those are the charges deducted from the whole catch of the vessel. Then it is divided in two and the men take one-half and the vessel one-half; but the vessel must pay out of its one-half for the food, dories, lines, hooks, and anything that goes on board for the equipment.

Chief Justice HAZEN. Can you tell us under that system what wages the men earn?

Mr. GARDNER. The men earned this season from March until about the first of September when the vessels returned, anywhere from \$800 to \$1,000.

Chief Justice HAZEN. They average about \$150 a month?

Mr. GARDNER. That would be about it.



Chief Justice HAZEN. With regard to the nets that are used—where are they bought?

Mr. GARDNER. They are cotton lines bought from the American Linen Thread Co., in the United States. Ours are all trawling vessels except half a dozen.

Chief Justice HAZEN. The lines are similar to those bought by American fishermen?

Mr. GARDNER. I think the very same.

Chief Justice HAZEN. With regard to the food given to the men on board these vessels, are you familiar with the way in which the American vessels are supplied?

Mr. GARDNER. I do not know that I can say I am exactly familiar; I have been on board.

Chief Justice HAZEN. In a general way you have a knowledge of the way in which the American vessels are victualized?

Mr. GARDNER. I have.

Chief Justice HAZEN. First of all, I would like to ask you how the food and supplies furnished to the Canadian schooners compares with the food and supplies in general character, and so on, furnished to the American fishing vessels?

Mr. GARDNER. I think in comparison with the fishing vessels that go to the grand banks our food compares favorably with theirs. It seems that they get the very best. I understand that some of their vessels that do fresh fishing are perhaps supplied with articles somewhat better than ours.

Chief Justice HAZEN. Better, or some articles in the way of luxuries?

Mr. GARDNER. Luxuries. The grade of goods on board our vessels is the very best; for instance take beef; we do not supply a cheap beef; we supply the American Clover Brand.

Chief Justice HAZEN. The principal articles you would supply would be beef, flour, and pork?

Mr. GARDNER. I might just say, Mr. Chairman, that the beef, pork, lard, oil, and sugar are bought from the American markets in bond and put on the vessels free. We pay just what the Americans pay for them. I have a list of goods placed on board at American ports. [List produced and given to chairman.]

Chief Justice HAZEN. You are with W. C. Smith & Co.?

Mr. GARDNER. Yes, sir.

Chief Justice HAZEN. You made this list out yourself?

Mr. GARDNER. I did, sir. Mr. Smith is indisposed, has been confined to the house for about two weeks.

Chief Justice HAZEN. These articles are all of the best?

Mr. GARDNER. All of the best.

Chief Justice HAZEN. I will enter this list in the record. [List entered is as follows:]

*1917, outfitters supplies for 3 months.*

[Schooner *Glacier*.]

March-June order is duplicated in June.

Bonded goods:

4 barrels beef.

1 barrel pork.

160 pounds lard.

Bonded goods—Continued.

6 bags granulated sugar.

4 cases oil.

Yellow sugar.

24 gallons molasses.  
 9 barrels special flour.  
 Our chief flour.  
 175 pounds butter.  
 9 bushels turnips.  
 40 bushels potatoes.  
 122 pounds biscuits.  
 5 bushels Y. E. beans.  
 White beans.  
 50 pounds raisins.  
 Beets.  
 Case goods :  
     Beef.  
     Tomatoes.  
     3 cases peas.  
     3 cases beans.  
     2 cases corn.  
     2½ cases milk.  
     1 case apples.  
     1 case pumpkin.  
     2 cases blueberries.  
     1 case clams.  
     1 case peaches.  
 40 dozen eggs.  
 25 pounds green peas.  
 Split peas.  
 3 pounds cocoa.  
 2 pounds chocolate.  
 Pulverized sugar.  
 2 boxes yeast cakes.  
 2 pounds hops.  
 60 pounds onions.  
 4 buckets jam.  
 2 packages macaroni.  
 6 packages cornstarch.  
 16 pounds baking powder.  
 6 pounds cream tartar.  
 6 pounds baking soda.  
 14 pounds rolled oats.  
 6 packages cream of wheat.  
 10 pounds corn meal.  
 5 gallons vinegar.  
 20 pounds tea.  
 30 pounds coffee.  
 ½ pound pickling spice.  
 W. I. peppers.  
 ¾ pound nutmegs.  
 ½ pound ginger.  
 ½ pound cassia.  
 7 pounds pepper.  
 ½ pound allspice.  
 1 pound M. spice.  
 1 pound cloves.  
 Currants.  
 7 pounds barley.  
 10 pounds rice.

Fish.  
 26½ ounces lemon.  
 24 ounces vanilla.  
 20 pounds tapioca.  
 Dry mustard.  
 6 bottles mustard.  
 9 bags table salt.  
 2 bottles savory.  
 Celery salt.  
 Currie powder.  
 22 bottles Worcester sauce.  
 36 bottles catsup.  
 1 case canned strawberries.  
 Wood, sawed.  
 Wood, long.  
 Gross matches.  
 Gold Dust.  
 Soap.  
 Pale yellow soap.  
 Stove polish.  
 Baskets.  
 Dinner plates.  
 Soup plates.  
 Pie plates.  
 Dessert plates.  
 Teaspoons.  
 Tablespoons.  
 Dessert spoons.  
 Knives and forks.  
 Glasses.  
 Lantern.  
 Lantern globes.  
 Lantern cones.  
 Lantern burners.  
 A. burners.  
 B. burners.  
 A. chimneys.  
 B. chimneys.  
 Corn brooms.  
 B. brooms.  
 Wit brooms.  
 Red table linen.  
 White table linen.  
 Cloth.  
 Toweling.  
 Pairs towels.  
 Torch wicking.  
 Candles.  
 Wicks.  
 Stove brush.  
 Scrub brush.  
 Buckets.  
 Store bags.  
 Brick bath.  
 Scrubbers.  
 Mugs.

You will note that I have only given a list of the food. You can see the other numerous articles that must be supplied to complete the outfit for the crew, to say nothing of the stoves and cooking utensils which have to be supplied by the hardware department.

W. C. S. & Co.

This outfit represents something over \$700 worth of goods and includes only foodstuffs.

W. C. S. & Co.

Chief Justice HAZEN. It would be quite correct to say that the men who go from Lunenburg are supplied with food just as good as anywhere, and that a portion of those articles—beef, pork lard, sugar and oil—are bought in the United States?

Mr. GARDNER. Yes.

Chief Justice HAZEN. Why not buy them in Canada?

Mr. GARDNER. I can buy more cheaply in the United States than in Canada. We get better beef and heavier pork in the United States.

Chief Justice HAZEN. And in your experience you say that they are equipped with just as good articles of food as the American schooners are, but they may have some more delicacies?

Mr. GARDNER. Yes. I think they go in for ham and eggs and cheese.

Chief Justice HAZEN. This does not give the prices you pay?

Mr. GARDNER. I might mention that the crew inform us that there are case eggs placed on the American vessels which are paid for by the crew—not furnished by the vessels.

Chief Justice HAZEN. Mr. Gardner do you know how the officers are paid?

Mr. GARDNER. The only officer we have sir is the captain on board those vessels—our skipper as he is known. He gets a share with the men.

Chief Justice HAZEN. You are speaking entirely of the schooners. Have you any trawlers?

Mr. GARDNER. Steam trawlers.

Chief Justice HAZEN. The otter trawler or the beam trawler?

Mr. GARDNER. No, sir.

Chief Justice HAZEN. Do your vessels carry as many men as the American vessels?

Mr. GARDNER. They carry seven boats—two men to a boat for fishing—7 to 8 boats.

Chief Justice HAZEN. About the pay of the captains—what have you to say with regard to that?

Mr. GARDNER. The captains get a share with the men—he shares with them—then he gets a commission of  $2\frac{1}{2}$  per cent on the stock of the vessel and a commission of 5 per cent on that half which goes to the vessel owners— $2\frac{1}{2}$  per cent on what the vessel stocks, 5 per cent on what goes to the owners of the vessel and an equal share with the men.

Chief Justice HAZEN. Do you know how the rates that are paid on the Canadian fishing boats compare with what is paid on the American boats, or is it according to the same system?

Mr. GARDNER. I do not know exactly but I understood a 5 per cent straight commission to the captain. I may be wrong—I am not sure about it.

Chief Justice HAZEN. How are the men paid on the American schooners?

Mr. GARDNER. They have different lays I understand. I am not familiar with them.



Chief Justice HAZEN. There is a one-fifth lay?

Mr. GARDNER. A one-fifth lay and a one-fourth lay and a one-half share.

Chief Justice HAZEN. But with you at Lunenburg there is just the half lay?

Mr. GARDNER. Yes.

Chief Justice HAZEN. You have been engaged in the fishing business for a good many years?

Mr. GARDNER. I have been connected with the firm for 10 years.

Chief Justice HAZEN. What is your opinion in regard to the value to the fishing vessels of the United States of being allowed the use of Canadian ports under the *modus vivendi*—do you consider it an advantage to them?

Mr. GARDNER. I think it would be a great advantages to them.

Chief Justice HAZEN. They use them at present—vessels propelled by sail. Do you think it is an advantage to them to do it now and pay the \$1.50 per ton for the trouble?

Mr. GARDNER. I would think so.

Chief Justice HAZEN. You would think the advantage would be very much greater if they were allowed to do it at a nominal rate and if vessels driven by steam and power of different sorts were allowed to do it?

Mr. GARDNER. Yes.

Chief Justice HAZEN. You would consider that an advantage?

Mr. GARDNER. I would think so.

Chief Justice HAZEN. Where do you buy your bait?

Mr. GARDNER. From the Provincetown Cold Storage Co. in Massachusetts.

Chief Justice HAZEN. Why do you not get it in Nova Scotia?

Mr. GARDNER. We can not secure it—not the frozen bait. That is the bait which they use for the first trip out—they go out in March. We get the frozen bait.

Chief Justice HAZEN. Is there no plant in Nova Scotia where they freeze this bait?

Mr. GARDNER. They freeze it at different plants but not in sufficient quantity, and the plants that supply frozen bait also purchase in the American markets and then sell it to the Lunenburg vessels.

Chief Justice HAZEN. Do not American vessels come into Nova Scotia ports and purchase bait?

Mr. GARDNER. When they come for herring in a later time of the year. That is when the vessels can get through to the Magdalen Islands. I am referring to frozen squid for the March baiting, but in June they get herring and buy them at Queensport and at Guysboro and at different ports, while in the summer when they are fishing from the Banks of Newfoundland if they are not able to get the fresh squid they go into Newfoundland ports and buy herring.

Chief Justice HAZEN. Where is it you buy this bait in the United States?

Mr. GARDNER. The Provincetown Cold Storage Co.

Chief Justice HAZEN. At what time of the year?

Mr. GARDNER. We bought ours in the month of December this year.

Chief Justice HAZEN. When do your vessels go to the fishing grounds?

Mr. GARDNER. In the month of March.

Chief Justice HAZEN. Is that the only season of the year when you buy it?

Mr. GARDNER. Yes.

Chief Justice HAZEN. Where do you sell your fish, Mr. Gardner—after one of your schooners gets its load of fish what does it do then?

Mr. GARDNER. In most every case the fish is landed at Lunenburg and dried to make salt cod. There are a few exceptions.

Chief Justice HAZEN. Do you sell any fresh in the United States?

Mr. GARDNER. No, sir.

Chief Justice HAZEN. You do not take anything into the United States?

Mr. GARDNER. No.

Chief Justice HAZEN. You would not be prepared to speak with regard to what advantage it would be to a Canadian fishing vessel to go directly to a port in the United States?

Mr. GARDNER. No.

Chief Justice HAZEN. Yours is the cured fish trade?

Mr. GARDNER. Yes.

Chief Justice HAZEN. Where is your market?

Mr. GARDNER. It is mostly in the West Indies—Trinidad, Cuba and Porto Rico.

Chief Justice HAZEN. You sell nothing in the way of fresh fish in the United States?

Mr. GARDNER. No, unless some of the vessels desired to take up that business.

Chief Justice HAZEN. Is that true of the Lunenburg fishing fleet generally?

Mr. GARDNER. I think it is because they are about all salt fishing.

Chief Justice HAZEN. They are not engaged in the fresh-fish business?

Mr. GARDNER. Not at the present time.

Chief Justice HAZEN. How many vessels are sailing out of Lunenburg?

Mr. GARDNER. Last year about 102.

Chief Justice HAZEN. About 100 tons each?

Mr. GARDNER. Yes sir, standard size.

Chief Justice HAZEN. Have you had any difficulty in getting men to man your vessels?

Mr. GARDNER. No, sir, particularly this year—I think we have more men than ever.

Chief Justice HAZEN. How do you account for that with the war on?

Mr. GARDNER. I suppose on our records may be found 50 to 100 letters—men from Lunenburg west as far as Yarmouth—asking for permission to go on our vessels this year.

Chief Justice HAZEN. Has that affected wages at all?

Mr. GARDNER. No, I do not think it has.

Chief Justice HAZEN. The wages are as high as previous years?

Mr. GARDNER. The only wages are for the cooks.

Chief Justice HAZEN. How are they?

Mr. GARDNER. A little bit higher than they have been—\$125 to \$130 a month.

Chief Justice HAZEN. How many vessels do you say there were last year sailing out of Lunenburg?

Mr. GARDNER. 102 I think.

Chief Justice HAZEN. Is that more or fewer than usual?

Mr. GARDNER. Fewer. I think the year before the number was 112 and the year before 126.

Chief Justice HAZEN. That to some extent would account for the fact that it was so easy to get men last year?

Mr. GARDNER. I am referring to the year coming. Last year we had some little difficulty in getting men.

Chief Justice HAZEN. How many vessels will you have this year?

Mr. GARDNER. Twenty more vessels added to the fleet than last year, still there are plenty men.

Chief Justice HAZEN. How do you account for that, in view of the fact that there is complaint in regard to the scarcity of labor?

Mr. GARDNER. One great reason is that a number of fishermen are not going to Gloucester or Boston to fish.

Chief Justice HAZEN. What is the reason they are not going this year?

Mr. GARDNER. We have had one or two vessel crews—men who have fished out of Gloucester and who fished out of Lunenburg last year and the crews fared so well and made such a successful year that they have gone home and told their friends and they want to come to Lunenburg to fish.

Chief Justice HAZEN. Is that due to the fact that the lay that you have in Lunenburg gives the fishermen better results than the arrangement in Gloucester?

Mr. GARDNER. I am not prepared to say that, but I know it was because of the high prices they got for the fish last year.

Chief Justice HAZEN. The price of fish has advanced very much in the last few years?

Mr. GARDNER. Yes, of all fish.

Chief Justice HAZEN. The price of fresh fish in the American markets is a great deal higher than a few years ago?

Mr. GARDNER. Yes.

Chief Justice HAZEN. And the same with salt fish?

Mr. GARDNER. The salt fish which we formerly sold for \$7 a quintal last year sold at \$12. Even with the extra charges the owners got the advantage of the increase in the price of fish.

Chief Justice HAZEN. You are familiar with the situation in Lunenburg. Provided a fair arrangement could be made with the United States so that our vessels engaged in the fresh-fish trade would be able to sell their fish in the markets of the United States without being hampered by restrictive navigation laws or restrictive custom laws, would it in your opinion be a fair thing to make the *modus vivendi* arrangement of a more permanent character so as to give the American fishermen privileges in our ports on payment of a merely nominal amount, say \$1 a year, or entirely free?

Mr. GARDNER. That would all depend upon what number of vessels would take advantage of going to American ports to land their fish.

Chief Justice HAZEN. I am asking you would there be any objection to that from the Lunenburg standpoint—any objection to allowing American vessels to come into our Canadian ports and using them as freely as our own people use them, provided we get a return in the nature of more liberal laws?



Mr. GARDNER. I would say in answer to that that anything that would be done say on a fifty-fifty basis I think the people of Lunenburg would be satisfied with—would be willing to be quite mutual over it.

Secretary REDFIELD. Where do you insure your vessels?

Mr. GARDNER. With the local insurance house at La Havre—also with Gale & Co., a branch office at Halifax.

Secretary REDFIELD. Do you know the difference in rate, if any, between what you pay and the Gloucester schooners pay?

Mr. GARDNER. No, sir.

Secretary REDFIELD. Do you know that there is a difference?

Mr. GARDNER. No, sir; I do not.

Secretary REDFIELD. Are these vessels built in Lunenburg itself?

Mr. GARDNER. The greater number of them are built in Lunenburg—not exactly in the town—4 or 5 miles out, perhaps along the La Havre brook—a number are built at Shelburne and Lunenburg.

Secretary REDFIELD. Is this wood locally obtained?

Mr. GARDNER. Locally obtained.

Secretary REDFIELD. How is it seasoned?

Mr. GARDNER. It is not seasoned any more than—it is taken from the woods and put right onto the vessel.

Secretary REDFIELD. It is not kiln-dried lumber at all?

Mr. GARDNER. No.

Secretary REDFIELD. It is not air-seasoned lumber, then?

Mr. GARDNER. No.

Secretary REDFIELD. Then would it be correct to say that the ships are to some considerable extent built of green lumber?

Mr. GARDNER. Yes.

Secretary REDFIELD. Do we understand that the keel is of oak?

Mr. GARDNER. No I do not think I said that—of beech or birch. The stern post would be of oak and the stem is generally of beech and oak.

Secretary REDFIELD. Your planking?

Mr. GARDNER. The planking is of birch and beech—mostly beech.

Secretary REDFIELD. And the floors?

Mr. GARDNER. The floors are of hardwood of the same material, and the top timbers and stanchions of soft wood—spruce.

Secretary REDFIELD. But this is neither kiln dried nor air dried wood?

Mr. GARDNER. Neither one.

Secretary REDFIELD. Have you any knowledge as to the relative cost of repairs upon those vessels as compared with the Gloucester built vessels?

Mr. GARDNER. No, not in comparison with it.

Secretary REDFIELD. What do you estimate the normal life of such a vessel in active service?

Mr. GARDNER. There have been Lunenburg vessels probably that have seen actual life and have good life up to 15 years.

Secretary REDFIELD. That is an extreme case?

Mr. GARDNER. That may be an extreme case. The Lunenburg skipper thinks that the life of his vessel—8 or 9 years is about good enough for it—they are generally sold then for freighting. The Lunenburg people like to have new vessels.

Secretary REDFIELD. Would it or would it not be an advantage to dealers in supplies of various kinds for vessels if the American fleet were permitted free access to Canadian ports—I mean of course the local Canadian dealers in the ports?

Mr. GARDNER. We have to buy the articles of beef, pork, and lard and things like that in American ports—they can buy them cheaper there than in Canadian ports—there might be other articles advantageous to us to have them come and buy.

Secretary REDFIELD. Do you know of your own knowledge whether the American vessels now buy certain supplies in Canadian ports?

Mr. GARDNER. There are certain times when they come in short of food and have to buy a good supply—enough to last for several weeks.

Secretary REDFIELD. The point I want to clear up is whether there is not a mutual bond of interest there—a point of mutual interest on the part of the American vessel to be able to buy its supplies and on the part of the Canadian dealer to sell, so that by opening the Canadian port to the power boats there would be an enlargement of a mutual interest. That is the whole object that I wished to bring out there. Do you regard this reluctance of men to go to Gloucester or Boston to fish as a permanent change?

Mr. GARDNER. No, I do not, sir. I think it is only due to conditions in existence at present.

Secretary REDFIELD. Arising from certain current local conditions?

Mr. GARDNER. Yes.

Mr. SWEET. Has that some relation to the war or the draft or anything of that kind?

Mr. GARDNER. I suppose it has relation to the war in this respect—there is a great demand for food and the shortage of tonnage to get food to our allies.

Mr. SWEET. The motive for fishermen going to Gloucester and Boston to get work was that they could make better wages there?

Mr. GARDNER. I think in some respects that they have been making better wages, and I think that probably has been the greatest thing that has drawn them there in previous years.

Mr. SWEET. You said, I think, that there were about 102 vessels in the Lunenburg fleet that went out last year?

Mr. GARDNER. I think that is the report of the Customs—of the 99-ton regulation size.

Mr. SWEET. By how many different persons or companies were they owned?

Mr. GARDNER. The ownership, sir, of vessels in Lunenburg is different—it is the cooperative system—a vessel is composed of 64 shares, and if a skipper or man is going to get a vessel he gives 4, 5, or 6 of his men who are with him one or two of those shares, or sells them to them. In that way the men have a double interest in the fishing.

Mr. SWEET. They are part owners.

Mr. GARDNER. I do not know that a system of that kind exists in any other part of the Dominion. They have a double interest.

You asked me about the number of firms—of course in Lunenburg there are four or five of the outfitting firms who deal in supplies, and when we speak, say, of the *J. D. Hazen*, we refer to her as being

one of the vessels of the W. C. Smith Co., while she is not owned by them. They own 4, 5, or 6 shares in her, while other people own the remaining shares, but these vessels are sent out and fitted out by the five or six outfitting firms existing in Lunenburg.

Mr. SWEET. I understand that your firm has an interest in a considerable number of vessels?

Mr. GARDNER. An interest in all that we outfit.

Mr. SWEET. But not the entire ownership of any?

Mr. GARDNER. No.

Secretary REDFIELD. So that the fisherman may get not only his share of the fishermen's lay, but also participate as a part owner?

Mr. GARDNER. That is the idea, sir.

Mr. SWEET. In figuring the amount the fisherman is entitled to on the one-half-lay plan that you have described, how do you get at the value of the catch—are they actually sold or are they estimated under the curing system you speak of?

Mr. GARDNER. Under the curing system—when the fish are brought home they are taken from the vessel and placed with different men who engage in that business of drying and curing the fish. We know of them as fish makers. They are paid 50 cents a quintal for drying, and they deliver them to your wharf or warehouse. When the fish are brought in they are weighed and we get the number of quintals. We pay 50 cents for the expense of curing. Only three years ago we paid 25 cents, then 30 cents, then 40 cents, and this year we are paying 50 cents.

Mr. SWEET. From the value of the cured fish you deduct the cost of curing?

Mr. GARDNER. Yes.

Mr. SWEET. The balance would represent the value of the fish upon which to form a basis for figuring the remuneration of the fishermen?

Mr. GARDNER. After the charges are taken off, the cost of curing and the bait and the wages of the two boys, one-half of that is taken and divided into 16 or whatever number of men there are on the vessel, share and share alike.

Mr. SWEET. With regard to the green material that you use in your vessels, does that afterwards shrink and give you trouble?

Mr. GARDNER. No; I do not think that it does, sir. We never seem to have serious trouble from it.

Mr. SWEET. Does it give as good satisfaction as well dried lumber—air dried?

Mr. GARDNER. I do not know that any of the vessels are built of air dried—I often hear them say that a vessel built in the winter time is not as good as one built in the summer time. I have not seen any actual proof of it—the material is all green—right from the stump, you might say.

Mr. SWEET. Do they have to use an unusual amount of calking and that sort of thing—do the seams open?

Mr. GARDNER. No; I think that probably the Lunenburg vessels will stand as well as any of the vessels as far as calking is concerned—we have had vessels that have gone two or three seasons before needing calking. Some vessels will want more than others.

Mr. SWEET. I am asking these questions because we have had the subject of wooden vessels up for war purposes and the question of seasoned material has been discussed to a considerable extent. I



thought it might be interesting to know what your experiences had shown.

Mr. GARDNER. I do not think there has been any difficulty as far as Lunenburg is concerned.

Dr. SMITH. Will you please give a little more information about this first squid bait which you obtain from Provincetown. What is the usual amount of bait carried on a vessel for that first trip?

Mr. GARDNER. Anywhere from 12,000 to 17,000 pounds.

Dr. SMITH. What is the cost of that bait?

Mr. GARDNER. The retail cost is from  $4\frac{1}{4}$  to  $4\frac{1}{2}$  cents a pound when we get it at Lunenburg.

Dr. SMITH. What is the length of the trip which this first bait supplies?

Mr. GARDNER. About one month.

Dr. SMITH. Subsequently you depend on local stores?

Mr. GARDNER. Yes; get through and get the herring.

Dr. SMITH. You have no further occasion to send to Provincetown or anywhere else in the United States for bait?

Mr. GARDNER. No, sir; not after that.

Dr. SMITH. All of the vessels at Lunenburg obtain this squid bait from Provincetown?

Mr. GARDNER. Not all, although I understand they purchase from the Canadian houses. They purchase from some of the cold-storage plants but I believe they bring it from Provincetown.

Dr. SMITH. Is it more convenient for the Canadian cold-storage plants to obtain that squid from Provincetown than from Newfoundland?

Mr. GARDNER. I do not know that it is more convenient. It may be that they are not able to obtain it—I could not go into that very well. I think there are gentlemen here who can go into the matter of frozen bait much better than I can. Mr. Wilson no doubt would be very pleased to go into that.

Dr. SMITH. I would like to have you verify in regard to the wages on board your vessels; the cooks are very important, and the wage which I understood you to say you paid was \$120 or \$125 a month?

Mr. GARDNER. Yes, sir, sometimes there is \$10 difference.

Dr. SMITH. And that expense is borne by the crew?

Mr. GARDNER. Yes—borne by the crew.

Secretary REDFIELD. Is that cook employed elsewhere, so that he has employment throughout the year at that wage?

Mr. GARDNER. He is not employed at that rate if going freighting. The regular freighting wage would be from \$70 to \$75 a month. After September when those vessels come home—this year and last year every one of our vessels that went out, with one or two exceptions—were all placed in what we would call the freighting business—would go to Halifax and take a load of flour to Newfoundland, and take a load of fish from there to the Barbadoes—and these cooks at that time would be paid a wage of \$75—they are only cooking for 7 men, while in the summer they are cooking for 18 to 20 men.

Chief Justice HAZEN. We are very much obliged to you for your information. Is there anything you would like to add yourself?

Mr. GARDNER. Nothing that I know of, Mr. Chairman, at the present time.

Chief Justice HAZEN. I would say to you and other gentlemen here, it will be some time before we meet to consider our recommendations and if in the meantime anybody interested in the fishing business in this country or anywhere else has anything they wish to bring before us, if they will submit it in writing we will be very glad to give it the very best consideration in our power. They should communicate with Mr. Found, and he will see that each of the commissioners is furnished with a copy.

Mr. SWEET. Upon the main point, as to making an arrangement such as we have spoken of—whether or not I get the right impression from what you said. I inferred that you did not consider it necessary to go into every little detail with regard to whether Americans would get a little more advantage in your ports or Canadians a little more advantage by selling in American ports—that you did not think it necessary to strike a very close balance, but an equitable basis—a fifty-fifty basis?

Mr. GARDNER. That is my personal opinion. An equitable arrangement, as nearly a fifty-fifty basis as possible would be a good thing for both. We have no other end in view but to work out things to the mutual satisfaction of both.

#### STATEMENT BY MR. BENJAMIN A. SMITH, GORTON-PEW FISHERIES, GLOUCESTER.

By Secretary REDFIELD:

Q. You have heard the statement of Mr. Gardner?—A. Yes.

Q. In what respect does the construction of those vessels made for you in Gloucester differ from the statement of Mr. Gardner?—A. The frames of our vessels are of white oak. My impression is that Mr. Gardner said his were of soft wood, and 90 per cent of our planking is seasoned oak—it comes from Ohio.

Q. Is that kiln dried?—A. No, sir.

Q. Air dried?—A. Just seasoned.

Q. And your keels and keelsons?—A. What we call soft wood—they are not oak—we prefer not to use oak, but to use birch and maple.

Q. What do you consider the normal life of one of these vessels?—A. We have them going 20 or 25 years—we have one vessel that was built in 1899.

Q. Still in use?—A. Yes, sir—she was not recalked until year before last. Last year she took a cargo of fish to the Mediterranean—the schooner *J. J. Flaherty*—and brought a cargo of salt back. At the present time she is carrying fish back and forth to Newfoundland—from Bay of Islands to Gloucester. She is a vessel of 160 odd tons.

Q. What would a vessel of 100 tons cost to-day?—A. A vessel of 100 tons with hull and spars would cost about \$16,000—that is without the rigging, without the sails, without any equipment—that is just the bare spars and the beams and the hull, but that vessel all rigged for our salt fish business as the Lunenburg vessels are would cost about \$22,000.

Q. All rigged?—A. All rigged but no ballast—if she was rigged the same as we fit our fresh fishermen it would cost about \$25,000.

Q. What we want to get if we can is a comparative statement. Mr. Gardner spoke of a vessel, as I recall his statement, with the spars, hull and spars, at a cost of from \$18,000 to \$22,000. Am I correct in understanding that you say it would cost about \$16,000?—

A. Yes, sir; hull and spars—no rigging.

Q. Seasoned Ohio air-dried oak for planking and for frames?—

A. Yes, sir—we have just contracted with Mr. Davis whom you met the other day—he is paying us \$14,000, but he is furnishing the spars.

By Chief Justice HAZEN:

Q. Do I understand, Mr. Smith, that you have a contract to-day for a vessel—the hull and the spars—built as you build them in the United States and that your contract price is \$16,000?—A. Yes, sir.

Q. One hundred tons?—A. One hundred and twenty tons gross.

Q. You heard Mr. Gardner's statement that he has a contract for his firm for a vessel of 100 tons with spars for \$22,000?

MR. GARDNER. I said it would cost from \$18,000 to \$22,000.

Chief Justice HAZEN. What is your contract price?

MR. GARDNER. \$18,000. I know of contracts that are \$22,000.

By Chief Justice HAZEN:

Q. So that Mr. Gardner's vessel is costing \$2,000 more to build?—

A. The prices in Lunenburg have advanced more than they have advanced with us. Eight or 10 years ago, before the war, conditions were such that Lunenburg vessels would cost much less than that.

Q. These gentlemen who appeared before us in the United States and told us that one of the handicaps the fishermen there would encounter would be the less cost of vessels in Canada were basing that on what had been the case years ago?—A. They cited the *Clentonia*, and the facts given you on that were true but conditions have changed.

# STATEMENT BY MR. ALFRED H. BRITTAIN, MANAGING DIRECTOR OF THE MARITIME FISHING CORPORATION (LTD.), MONTREAL.

Q. You are managing director of the Maritime Fish Corporation?—A. Yes, sir.

Q. Where is your head office?—A. Our executive offices are in Montreal, our plants are in Digby and Canso, Nova Scotia.

Q. What branch of the fishing business does your company engage in?—A. We are vessel owners and we buy fish from the fishermen.

Q. And where do you sell that fish?—A. We put the raw material into the markets that we consider will give us the best returns. A large part of our business is the fresh-fish business. We also dry and cure fish.

Q. Where do you sell your fresh fish?—A. In Canada.

Q. Do you sell in the United States at all?—A. Very little.

Q. You find a market in Canada for all the fresh fish that you get?—A. We have been exporting some frozen fish to Europe—a matter of war conditions, but speaking to the point I would say that our fresh fish is sold in Canada.

Q. Do you find it an increasing market in Canada?—A. Yes.

Q. Are you able to supply all the fish that there is a demand for?—

A. Within the past six months the demand for fish, through in-



creased publicity, has increased considerably. I think the same thing prevails in the United States and I would say that our conditions are perhaps the same as theirs. While there are no figures that we could arrive at, there has been an increase of easily 100 per cent.

Q. We were told in the United States that the statistics show that the consumption per head of fish in the United States is 18 pounds—the consumption per head in Canada is 29 pounds, and the consumption in Great Britain before the war was 58 pounds per capita. You are vessel owners?—A. Yes.

Q. Where do you get your vessels built?—A. We have had our schooners built in Shelburne, I think.

Q. What is the size of the schooners?—A. One hundred tons.

Q. Have you had any built lately?—A. None.

Q. None since the outbreak of war?—A. No.

Q. What were you paying for a 100-ton schooner when you last purchased?—A. I am not in a position to give you that information, Mr. Hazen, at the present moment.

Q. Do you know how the men are paid on board your vessels?—A. Our schooners—on the lay— $1\frac{1}{5}$  lay.

Q. Will you tell me how that is worked out?—A. If you would just leave that part to Mr. Short—he will be able to give the complete information.

Q. Have you steam trawlers?—A. Yes; we own one steam trawler.

Q. Is that the *Bulleine*?—A. The *Raindore*.

Q. How are the men paid on that? I will tell you the reason I ask that. A gentleman in Boston who made a statement before us told us that on the American trawlers the men are paid \$40 a month wages and that an additional sum of \$7 on every thousand pounds of fish caught is divided among the men. He understood that in Canada the men got only \$30 a month and \$7 a thousand on the fish caught. We were also informed that the officers in Canada were paid larger sums than the officers in the United States. We want to see how it would work out as having a bearing on the expense of producing fish.—A. Steam trawling in this country is not worked out yet on the same basis as in Boston, which is the steam trawling port of the United States. In Canada different individual firms own one boat. I do not think one firm owns more than one boat, and the lay under which these men are paid is different because they have not got down to any basis to work on. I think I am safe in saying we are the first operators of steam trawlers in Canada. We owned the old steam trawler *Wren*, which we purchased from England. We purchased equipment for her, thinking we would make a success. We lost \$15,000 or \$20,000 in the first year and sold the boat to the highest bidder. We later chartered a couple of boats from England on a purchase price for fish—they owned their own vessels and we paid them so much a pound for the fish, and a year and a half ago we purchased this ship ourselves outright. The lay in comparison between the United States and Canada I think would boil down to this—that the Boston men made about the same amount of wages as our men make. Our men may make a little more than the men on the Boston ships. The skipper on our ship makes a great deal more money than the skipper on the American ships.

Q. The details of this matter can be given to us by Mr. Short?—  
A. He is not familiar with them.

Q. Do you pay your men a certain sum per month and a certain amount per thousand of fish caught?—A. Yes: we pay the same as the United States. We pay the men a certain wage and we pay the captain a certain wage, but their principal remuneration is derived from the commissions which they get.

Q. We were told in Boston that they paid their men \$40 a month and \$7 per thousand for every thousand of fish that were caught and that amount was divided among the crew equally, while the assertion was made that in Canada the steam trawlers pay \$30 a month and a bonus on the fish caught.—A. In answer to that, Mr. Hazen—in the first place we originally started off paying our crews on the same lays as they paid in Grimsby, England. They pay their crews on what they call the net return from the vessel after paying expenses, whereas in the United States they pay their men a commission of 7 per cent on the gross stock of the vessel. In other words, they pay their men on the gross stock of 7 per cent on the vessel, whereas in our case and in some other cases where it has not got down to a standard basis yet we have paid, as in England, on the net stock of the vessel after deducting expenses—the grub and other fixed charges—because our men on our boats are largely men from Norway and Denmark, where they are in the habit of working under that particular law, and rather than take them away from it and upset conditions we have more or less adhered to that particular lay of wages in connection with the men.

Q. And you say that under your system you are paying about the same wages as on trawlers sailing out of Boston?—A. Our men to-day will average a little more—within perhaps \$8 or \$10 a month, than the men in Boston, and our skipper will average a great deal more than the skipper in the United States, so much so that the skippers of our boats are something like the Lunenburg fellows—they perhaps make more money than the proprietors of the business themselves. They earn every cent that they get, and a large percentage of their business is on a commission basis, according to the stock they bring in.

Q. It would be correct to say, Mr. Brittain, having regard to the pay of the captain and the pay of the crew, that the wages paid on trawlers operating from the Nova Scotia ports are greater than the wages on the trawlers operating from the port of Boston?—A. Yes.

Q. Well, now, what do you say about the supplies—the food that is supplied on board these trawlers? Do you know that end of the business?—A. Yes.

Q. Have you sufficient knowledge to make any comparison between the food on a Canadian trawler and that supplied on an American trawler, as to quality?—A. Generally speaking I can say that the quality of the food on the Canadian trawler is of the very best. There is no limitation put on what food they will have, whether delicacies or luxuries—pickles, olives—in fact they live better than I live at home, as a general rule.

Q. I suppose as a matter of fact, Mr. Brittain, you could not get men on your trawlers unless you feed them well?—A. With the very best. If they want anything at all in reason, outside of liquors or things not allowed, they can have them, if it is a ques-

tion of food to keep them satisfied and get the very best out of them as to work, we let them have it.

Q. You believe Napoleon's idea that an army travels on its stomach, applies to fishermen?—A. You take our boats starting off for the grounds—they may be fishing for two days. There are many, many occasions when those men have not had two hours' sleep. These boats are operating night and day. They stay on the ground and have got to keep working night and day on double shifts—it may be every two hours or every hour they haul this gear—it depends on the quantity of fish. They have got to be dressed and put in the hold. There are many times when the only sleep these men get is going to the fishing grounds and coming home. We get them away from the dock about as quickly as possible.

Q. Is it possible to obtain beam trawlers from Great Britain now?—A. Nothing that is modern at all.

Q. Why is that, Mr. Brittain?—A. I understand from the information I have received from Ottawa from time to time that it is Admiralty orders.

Q. Because the trawlers are taken for naval purposes?—A. Yes.

Q. And a great many trawlers have been destroyed by submarines and mines?—A. Yes.

Q. Do you know the relative cost, taking it now, of a trawler in Great Britain and the United States—I mean the beam trawler—the otter trawler?—A. In England there have been no trawlers that I know of that there have been contracts let for immediate delivery because the Admiralty has taken charge of the shipyards.

Q. It is impossible to get a trawler built for a private corporation or to obtain one in any way there?—A. Yes.

Q. I think you said that you sold all your fish in Canadian markets except a certain quantity you are sending overseas—frozen fish. I suppose that market overseas is not regarded by you as a permanent market. I presume after the war when fishing conditions become normal in Great Britain it will be impossible to send fish from Canada in competition with the British fishermen?—A. We hope that we will be able to still continue to ship.

Q. To be able after the war to send fish over there?—A. That is our idea; we hope to be able to send certain kinds of fish.

Q. What fish will you be able to do that with? A. There are fish—take the cod—the cod at times is sold at comparatively low figures here and at extremely high prices in England. It is a question if we can educate the people in England to the fact that a good frozen fish is about as good as a fresh fish that has been caught in Iceland or somewhere else and been away from the water for two or three weeks. Personally I see no reason why we can not sell frozen fish to a good extent in England and eventually build up a big business. They have been selling frozen rabbit in England, and formerly they bought fresh rabbit from Lord So-and-so's estates, and there was a prejudice against frozen rabbit.

Q. You are removing that prejudice?—A. Yes; we are doing that now.

Q. Where do you ship your fish from—Digby?—A. She lands at Canso.

Q. And you ship your fish from there to the markets of Quebec and Ontario?—A. Yes.



Q. Do you send anything to the United States?—A. Very little. We have always catered to our Canadian market.

Q. What little you have sent to the United States, how have you sent it?—A. By rail.

Q. A very limited quantity?—A. Very limited. We have no other way of getting it—either by rail and steamer or all rail.

Q. And you believe there is still a large market that can be developed for fish as a result of advertising—that the Canadian market can be still further developed?—A. Yes.

Q. Do you go in for lobsters at all, Mr. Brittain?—A. No.

Q. What would be your view with regard to extending the privileges that are now given under the *modus vivendi* to vessels owned by American citizens, propelled by steam or other motive power?—

A. My view is very much as Mr. Gardner's view is. That is to say, as far as my company is concerned, we feel that this is the opportune time, if it is ever going to be done, to work out arrangements that are going to be permanent and lasting, and while it may be a disadvantage to us or it may be a disadvantage to the United States, the way I figure it out this is the time to tackle the job and let us adapt ourselves to circumstances. We are quite willing, as far as we are concerned, to adapt ourselves to conditions which may exist in connection with this landing fish in the United States. It is going to affect my business quite considerably, just as the men in Boston feel. We are in the fresh fish business, and it is a commodity which has to be handled quickly. There may be an advantage in having our vessels go into Boston ports, and I believe a considerable advantage at times in American vessels having the privilege of landing in our Canadian ports. The vessel property is practically the basis of the industry, and the next is the consumer—the man in between generally figures out his margin of profit, but whether it will be an advantage to our consumers all over Canada, that is a question hard to answer.

You know, gentlemen, that the price of fish has been higher in the United States—excepting at times when there is a glut—than it is in Canada. It may take away from our Canadian people a certain quantity of our own fish—all that will be necessary will be to steam another 100 miles and land in Boston and give the American people that extra food. It may take it away from us, but on the other hand I think that perhaps we can adjust this matter and get it down to an equitable basis. We are small here—it is a 100 to 1 shot. You have 100,000,000 and we have 10,000,000. It gets back to the old reciprocity pact. I remember speaking to Mr. Fielding at the time and I asked him what our privileges were to be in the event of reciprocity—we would have to put a desk on some wharf around Boston to look after our vessels. Would our vessels then have the privilege of going to the channel somewhere between Yarmouth and Boston and fishing side by side with American boats, or would he have to go to Yarmouth and clear and go back and find his friends—it made two trips to his one. He said it would be fixed up afterwards, but I saw where it would be a detriment to us. It gets down now to the question as to whether it is going to be an advantage to Canada or to the United States. We will have to adapt ourselves and wake up and see that the United States boys down on the pier in Boston do not get up earlier than we do. I can assure you that we have had to be trained in about four different branches of the business and I

think that perhaps one of our men can do the work of perhaps two of the boys over there.

By Mr. SWEET:

Q. On the American side we have heard some objection on the ground of opening up a very large market in exchange for a small market. Some of our people in the business think that is not fair, when we are giving a market of 100,000,000 people where you give a market of 10,000,000. Suppose this plan were carried out in absolute good faith for the consumers of both countries. Don't you think that there would be a decided advantage in making this arrangement? Would not the tendency of this proposed plan be to increase production, to eliminate waste of time, and so forth?—A. I believe it would, sir; and furthermore I believe that the American fisherman will still land his boat at the South Pier in Boston. He may have occasional times when he has to go for a long way off to sea—where the fish are moving from one ground to another—or in the hot summer days he may think it advantageous to land at some Canadian port, but generally speaking I think you will find that the American steam trawler and perhaps the schooners also which are in close proximity to the United States will land their boats in the United States.

Q. About American steam trawlers—they have no right now to come into Canadian ports?—A. No.

Q. Do they ever come in to your knowledge for purposes of shelter, repairs, wood, and water?—A. There were two steam trawlers into Canada last year from the United States, under special arrangement with the Canadian Government, for an extra quantity of food.

Q. Is it your opinion that it would be an advantage to them to have the right to come in?—A. I believe it would.

Q. For the purpose of supplies and other purposes?—A. I believe so, sir.

Q. As nearly as you can estimate, without, as I said to Mr. Gardner, striking too close a balance—just speaking roughly, would you think that the advantages and disadvantages would be nearly enough on the fifty-fifty basis to make a fair arrangement for both countries?—A. I think that is the proper way to figure it out myself.

Q. You think the plan we are talking about would be near enough to justify its being made?—A. Provided the Canadian vessels in exchange for that had no handicaps in connection with the coasting privilege or with the customs.

Q. The right to clear for American fishing grounds and return—if that right were granted to Canadian boats and corresponding rights to American boats, then I ask you whether you think such an arrangement would be a fair one, and one that might be called a fifty-fifty basis?—A. I think it would, sir.

#### STATEMENT BY MR. S. Y. WILSON, OF THE LEONARD FISHERIES OF HALIFAX.

By Chief Justice HAZEN:

Q. You are associated with the Leonard Fisheries?—A. Yes, sir.

Q. You reside in Halifax?—A. Yes, sir.

Q. I suppose Halifax might be described as the center of the fish trade for your province?—A. Yes, sir. They feel that this com-

mission should have come to Halifax to get the views of the people, because they think it a matter that more directly bears on Nova Scotia than any of the other Maritime Provinces.

Q. I am glad there are so many Nova Scotians here to-day. If necessary later on perhaps we can go to Halifax.—A. I think that ought to be considered. Probably you would get a broader range of information in that way. The men from Lunenburg had to leave on Saturday to be here to-day. I know several of the captains to whom I spoke would have been very glad to go to Halifax if they could have had the sitting there.

Q. We have got very valuable information from Mr. Gardner and Mr. Brittain—that can be considered later. I want to ask you, Mr. Wilson, what line of fish you handle?—A. Principally fresh and smoked fish—we do some curing.

Q. Where do you sell your fresh and smoked fish?—A. In the United States and the Canadian market—largely in the Canadian market.

Q. Do you own vessels?—A. We have some steamers and vessels that are used for smacking purposes. The steamer *Balleine* is fitting out as a steam trawler.

Q. You heard Mr. Brittain's statement with regard to the system under which the men are paid?—A. Yes.

Q. You are operating that system?—A. As far as I know the captain is hiring his crew—paying the same wages as in Boston, the same percentage—while he is getting a higher.

Q. The same wages and the same percentage paid as in Boston?—A. He is given a free hand and I understand that is what he is doing.

Q. The wages being paid are similar to those paid out of the Port of Boston?—A. Exactly, as far as I know—as far as the steamer *Balleine* is concerned—but I understand the captain himself is getting a higher percentage.

Q. That would be Capt. Spinney?—A. Yes, sir.

Q. With regard to the supplies on board Canadian fishing vessels generally—you have heard the statements made by Mr. Gardner and Mr. Brittain?—A. I think they are absolutely correct. There may be a greater variety—the quality can not be any different. The goods are the very best and the only difference is in the luxury end of the thing. The United States fishermen are taxed back for that where the Canadian fishermen are not taxed at all.

Chief Justice HAZEN. I think the witness means that where certain luxuries are supplied on board American fishing vessels they are charged up to the crew and taken out of their share of the lay.

Q. The fish that you sell in the United States—how do you send it there?—A. Mostly by express, or previous to this year we shipped by the Plant Line and by Yarmouth—they have a daily boat in the summer season—two boats a week now and sometimes four.

Q. You do not catch fish yourselves—you buy them?—A. Yes.

Q. Then you reship them into Boston by the Plant Line or some other way?—A. They are repacked.

Q. You have had no personal experience with the catching of fish in your own vessels and sending your vessels on to Boston?—A. No, not exactly.

Q. You understand the business thoroughly—take a vessel from Nova Scotia that goes out to the Banks and gets fish and desires to



sell that load in the United States—explain to us what it has to do?—A. To be marketed as fresh fish?

Q. Yes.—A. They would have to be landed in a Nova Scotia port or have to come to a Nova Scotia port and become a common carrier and then go to the United States. In leaving the United States he is bound to clear as a common carrier for a Nova Scotia port before running to the fishing ground.

Q. Would it be a marked advantage to our fishermen if they were able to go directly from the fishing grounds to the market in the United States, and to clear from the United States again for the fishing grounds?—A. That could hardly be answered yes or no. At different seasons of the year it would probably be an advantage, while at others it would not be any advantage. It is a problem.

Q. On the whole, would it be an advantage or not?—A. I do not know until we have had actual practical experience. It would cause a derangement—it would cause a decrease in the prices at the United States ports. It is a matter of supply and demand.

Q. As a matter of fact, to-day the great majority of vessels are steam vessels or motor-propelled vessels, are they not?—A. I do not think that is correct. It would be with the shore fishing people, but with longer voyages that is not true.

Q. That is, the vessels that go to the Banks. We were told that the majority of vessels going out of Gloucester were steam.—A. That is shore fishing.

Q. Those that go off to the Banks as well, we were told, were steam.—A. I believe that is true more generally of Gloucester.

Q. As a matter of fact the number of steam vessels is increasing, is it not?—A. Yes—they are using power vessels to a far greater extent.

Q. The practice of using power vessels is increasing, and will increase, I suppose?—A. I would imagine so—they are finding it more successful.

Q. So that gradually the sailing vessels will disappear and the steam vessels will take their place—that will be the trend?—A. That will depend on the system of fishing pursued. Going to the Banks and lying at anchor it would appear to be no advantage; going for fresh fish the power is important.

Q. In the fresh fishing?—A. The sailing vessel will be superseded entirely by the steam or motor. The experience of other countries has been that they have longer distances to go as the grounds are depleted and they have to employ the power vessels.

Q. In the fresh-fish business that will be the tendency?—A. I would think so.

Q. Having regard to the fresh-fish business, would it be an advantage to those Canadians who are engaged in that business if these restrictions that exist—the restriction that compels them to go to a Canadian port and to either transfer their catch to a trading vessel or to register as a trading vessel before they can go to an American port, and the restriction which compels them on leaving an American port to clear for a port in Canada—if this restriction were removed?—A. Generally speaking—not always.

Q. I understood you to say that perhaps the result might be to lower the price of fish?—A. You can readily understand that if there was an increase in steam vessels such as there has been—suppose there

were a dozen or more added to the fleet already in Boston and these were all to go to the Boston market—it would flood the Boston and New York markets and leave the Canadian market bare.

Q. Have you given consideration to the development of the fish market in the United States?—A. Just what does that imply?

Q. In the United States to-day the consumption of fish per head is 18 pounds; in Canada the consumption of fish per head is 29 pounds; in Great Britain the consumption of fish per head is 58 pounds. The Government of the United States is impressing on people the value of fish as a food. In view of the small consumption of fish per head in the United States at the present time and the fact that there will be a scarcity of meat in the future, do you think that the market of the United States could be glutted by a few extra vessels carrying fish?—A. It could be because it is such a perishable article. Even to-day, with the limited fleet they have, if they all land at once it has a very depressing effect on the prices, but they only last for a day or two.

Q. I do not think you have been following the great development going on in the United States recently. You say it might affect the fishing business, but it might have the effect of giving cheaper fish to the consumer—a benefit to the consumer but not a benefit to those engaged in the fishing business?—A. That is going to the other extreme. What I mean to say is that it is not a stable priced article like codfish—the price varies from day to day. The price of dry cod fish is approximately 10 cents—the variation in a month would not be more than half a dollar per quintal. Take haddock—two weeks ago to-day in the Boston market it was selling at 11½ or 12 cents. A week later it sold for 6 cents. It is a matter of demand and supply. It operates so quickly that fresh fish has to be handled the day it is caught or the following day.

Q. I want to get your opinion as to whether you consider it would be an advantage to Canadian fishermen or not if these restrictions were done away with?—A. I do; in a general way.

Q. You have had the opportunity of observing the use to some extent that was made of Canadian ports by these American sailing vessels?—A. Yes, sir.

Q. In your opinion would it be an advantage to the United States if that privilege was extended to vessels propelled by steam or motive power?—A. I do not think there is a question about it—it gives them a base of operations. Should anything happen to them—should they run short of supplies—and particularly if they have the right to sell their fish—if they struck boisterous weather on a fresh-fish trip they could land their catch and start afresh.

Q. In your experience have you known of American vessels coming to Canadian ports and asking permission to sell their goods?—A. On many occasions, with and without licenses.

Q. Under those conditions the department of marine and fisheries have granted them that privilege?—A. Yes.

Q. Would you see anything objectionable in allowing those vessels to come to our harbors to repair their nets?—A. No.

Q. Or anything objectionable in allowing them to cure their fish when lying in our waters?—A. Under the new arrangement?

Q. Yes.—A. I think that should be specified particularly—the same as permission is granted to them to sell their fish. Probably it would be the only way in which they could care for the catch.

Q. Those were points before us—that the American fisherman was not allowed to repair his nets and that he could not cure his fish on his vessel when lying in Canadian waters.—A. I think they are justified in making that request. I do not understand why the ruling was made against the power schooner—very often it is the same vessel with the power added.

Q. It has been the law for 30 years, and in 1904 the Government of that day passed a special order in council saying that this always had applied to vessels propelled by sail and was intended for that. I suppose at the time when the *modus vivendi* licenses were granted there were no power boats.—A. I think the United States first introduced the power boat—the Canadians hadn't any.

Q. In a general way, Mr. Wilson, if the Government of the United States is prepared to abolish those restrictions and to assist us in the enforcement of our lobster regulations, and are prepared to remove the restriction which makes it necessary for our vessels to go to a Canadian port from an American port before going to the fishing grounds and makes it impossible for us to return directly there; if they are willing to abolish those restrictions, would it, in your opinion, be a fair thing for us to extend the *modus vivendi* principle to vessels no matter how they are propelled—to abolish the license fee of \$1.50 per ton and charge a mere nominal fee or no fee, and grant those vessels the same rights in our ports as far as the purchase of supplies are concerned as our own vessels, and permit them to sell their fish in Canadian ports?—A. Would that include an open United States market as well?

Q. Subject to any customs duty imposed. There is a duty of a cent a pound on fish coming into Canada.—A. I would say it could be done on an equitable basis.

Q. You think that an arrangement might be worked out on an equitable basis?—A. Yes.

Q. And one that would have the effect of allaying a certain amount of irritation that has prevailed for a long time?—A. And still, on the other hand, I think you would find among some skippers in Nova Scotia objection to their coming in and competing with them in scarce times for bait, but I think it would be to the mutual advantage of both countries, speaking as a whole.

Q. This question of expense of fishing operations—it was represented to us by certain people very strongly in Boston that if such an arrangement was made with the two countries the American fishermen would be at very great disadvantage, because it cost the Canadian fisherman so much less to carry on his operations. Do you think there is anything in that argument?—A. I do not think that position can be upheld for a moment. That has not been my experience in fitting out steam trawlers. We can buy steel-wire rope in Boston for 24 cents. In Montreal to make it they wanted 43.65 cents for making it. I do not know whether we would be entitled to have that entered as fishing gear, but the Boston fisherman can buy his rope for 24 cents as against our 44. We can buy cheaper in Great Britain.



Q. The whole lumber industry of British Columbia was in danger of being held up because they could not get rope.—A. The situation is not quite so strenuous in that regard just now.

Q. In normal times, under normal conditions?—A. The lines, hooks, and anchors—they have been invariably bought in the United States and entered here as fishing gear. The Canadian has the disadvantage—the Canadian pays the transportation charges. The Canadian vessels, I have no doubt, are more economically managed than American vessels and for the reason that the owners are on board. The captains and crews of the United States vessels are not so generally interested in the vessels. They are more wasteful and more elaborate in their expenditures generally. They do not take the same care of their dories and lines and bait—they are not so economical in cutting bait. I think the American fishermen as a whole will admit that.

Q. These statements were made to us by men who were sailors—some of them captains—who were afraid that they would be at a disadvantage?—A. That is my opinion in regard to the thing—that they are more economically operated just for that reason—the owners are there themselves and they have not only a share interest but an owner's interest in pushing the thing.

Q. Take the *Balleine*—the trawler you have—will any of the owners be on that?—A. No.

Q. Is there a danger of those extravagances taking place there?—A. Not to the same extent—the captains are paid such large percentages that it is up to them.

Q. (To Mr. Benjamin Smith.) Capt. Smith, what do you say regarding that statement as to extravagances?—A. I think you will find I made such a remark the other day, that we could not run them as well. I spoke of vessels that I am familiar with being run out of Lunenburg—that I fitted in Gloucester—and on the same stock they would make much more money because they are run more economically.

Q. It is not due to the cost or the quality, but due to the more economical management?—A. That is the only thing I can think of right offhand—we get hooks down here cheaper.

Mr. WILSON. With regard to the vessels—the life of the Lunenburg vessel is only about half the length of the Gloucester vessel.

By Chief Justice HAZEN :

Q. The Lunenburg vessel is more expensive. Its first cost is more and it does not last nearly as long, and if that is the case the argument advanced to us by gentlemen in Gloucester falls to the ground?—A. Under prewar conditions the Lunenburg vessel cost less.

Q. Was that true up to the outbreak of war in 1914?—A. Yes.

By Secretary REDFIELD :

Q. How much less?—A. The hull and spars could be built for from ten to twelve thousand dollars.

By Chief Justice HAZEN :

Q. Before the war?—A. Yes.

Q. (To Capt. Benjamin A. Smith.) I presume the cost of vessels in the United States has gone up very much since the war broke out?—

A. Yes, it has—not so much, however.

By Secretary REDFIELD:

Q. I think it would be of interest to Mr. Wilson to follow out a little further what Mr. Chief Justice Hazen said about the development of the United States markets for fish. I think it unlikely that there will remain much longer any chance for gluts in the United States fish markets. With 100,000,000 of people we are consuming about 2,000,000,000 pounds of fish.—A. Fresh fish?

Q. Of all kinds. Great Britain with 45,000,000 of people is consuming 4,000,000,000 pounds of fish. The effort of our Government is very strongly exerted to increase the demand for fish food. If we brought our consumption of fish up to the Canadian level it would call for a billion and a half pounds of fish more per annum. If we brought it up to the English level it would call for an increase of at least 4,000,000,000. In other words our consumption would be multiplied by three. These are approximate figures but are within the truth. To show what is possible—Dr. Smith's service within 20 to 24 months, with one man in the field, at a total cost of \$20,000, with some office help, has introduced and placed for consumption 50,000,000 pounds of unused fish food. Fresh fish is being sold as far west Denver, Colo., regularly to-day. We offered to put at Government expense a first-class man at work in the Mississippi River Valley to preach the gospel—use more fish. Very candidly the only doubt we have in undertaking such a campaign is whether or not there are enough vessels in Canada and the United States to supply the demand which is perfectly feasible may arise. It is perfectly possible in a very few years to increase the demand for fish food in the United States to a point where it will call for at least six billion pounds instead of two. Indeed it seems to us entirely necessary, for our meat supply can not for 30 years be brought back to where it was before, and we must have the fish food to take its place. We regard it as an absolute duty of the Government to enter into an active campaign for development of the fish food market.—A. The figures you have given are no doubt for the cured fish. The conditions will have to change with the demand, and while you have a population of 100,000,000 and Canada 10,000,000, the suppliers of fresh fish from the Atlantic seaboard only reach a very small proportion. The quantities that go outside of the large centers in the immediate East do not amount to much.

Q. You are mistaken with regard to that. I had a contractor come to me and offer to supply fresh fish from Boston and New York—a million pounds at 4 cents—to our army in San Antonio, Tex., and a concern we met in Boston is regularly supplying St. Louis with fresh fish. The whole transportation system of the country has got to be adjusted, and I have offered to arrange to have it done, but the point that seems to me important to have in mind is that the past affords no basis of reasoning whatever for the future.—A. I admit the possibilities. It is just a question of getting the transportation. When you get that it is just a question of multiplying. It may be some little time yet, however, before we can get it.

Q. There has been almost no attempt to develop the fresh-fish market in the United States, whereas there are 70,000,000 of people easily to be reached over night from Boston and Gloucester.—A. We are perhaps a little more disadvantageously situated by way of distance from our larger commercial centers. We have a longer haul and it has been a more difficult problem, but even with those difficult problems we have made considerable headway.

Q. What I am speaking of is what seems a negligence on our part. For example, take the great centers around Pittsburgh. There are millions of people there and I doubt very much if there is any single shop in which fish is sold every day in the week. Do you know of any place, Mr. Smith?

Capt. BENJAMIN A. SMITH. No, I do not think there is any place.

Secretary REDFIELD. It is very much to be doubted if you went to buy fresh fish there on Tuesday or Wednesday whether you could get it.

By Mr. SWEET:

Q. You laid considerable stress upon the fluctuations in the price of fresh fish on account of their perishability?—A. Yes.

Q. Is not that to a considerable extent being obviated by the growing popularity of frozen fish?—A. To some extent.

Q. Is not that a good solution—do you not look upon it as a probable solution of the difficulties arising from the perishability of fresh fish?—A. I have not the slightest hesitation in saying that at the present time the prices would not go back to prewar prices on account of that—because there is a developed market for frozen fish.

Q. Is not that to a considerable extent also a matter of education in the use of frozen fish?—A. It is a matter of killing a prejudice.

Q. And of knowing how to thaw them and use them immediately?—A. How to cook them. We have had that trouble in the soldiers' camps—while the outside was cooked the inside was raw, and naturally the troops would object to it. Perfectly good sound fish treated in that way. Then there are so many varieties of table fish wasted.

Chief Justice HAZEN. There are tremendous quantities of the much-despised dogfish being used now.

By Dr. SMITH:

Q. You and others from the maritime Provinces may be interested in knowing the results of some experiments made in the United States in a comparatively short time, to determine the actual food value of frozen fish. We have a strong prejudice against frozen fish that exists here, and we have conducted some experiments to determine whether that prejudice is well founded, and it has been determined by most impartial experts that fish in a perfectly fresh condition frozen properly are at the expiration of eight or nine months the equal in every respect of the same fish just taken out of the water. The tests have been such as to indicate that people who did not know what they were eating were unable to distinguish fish frozen nine or ten months from fish just out of the water.—A. These people that did not know what they were eating—were they capable of judging fresh fish?



Q. Intelligent people accustomed to eating fish—their opinions are worthy of consideration. The fish must be frozen when perfectly fresh.—A. What we call alive.

Q. And the fish must be properly thawed out before the time to cook it?—A. And properly cared for in cold storage.

Q. That would indicate a very large opportunity in the way of the development of the frozen-fish business?—A. I think the industry deserves what it gets in the way of prejudice because of the way it has been handled in the past. I think those in charge of the cold storages are mainly to blame for it.

Mr. BRITTAIN. I think they deserve credit for putting it on the map. It has been the cold-storage plants on the coast that have developed and introduced this frozen fish.

Chief Justice HAZEN. Have you anything more you would like to add, Mr. Wilson?

Mr. WILSON. I would like to plead with you to come to Nova Scotia and hold a hearing in Halifax to get the views of the Bank fleet and the lobster industry. If we can make an amicable arrangement whereby the lobster industry can be conserved for the future, I think it would do a great deal for Canada and the United States.

Chief Justice HAZEN. We will certainly take your request into consideration. If the United States should pass a law that would prevent any lobster being caught or any lobster being taken into the United States market less than 10½ inches long, would you favor the passage of a similar law in Canada for the coast of New Brunswick and Nova Scotia west of Halifax? A law that would prevent any lobster being caught or exported less than 10½ inches in length?

Mr. WILSON. I have not thought of that.

Chief Justice HAZEN. That would mean the abolition of every cannery west of Halifax. There are no canneries now in Charlotte and St. John Counties. There have been canneries in the past, but the size limit now for lobsters in Charlotte County is 10½ inches and in St. John County 9 inches. Nine inches is the size to-day that can be taken into Boston. They can do better business by shipping the lobsters alive into the markets of the different cities. You have no size limit for the lobsters caught along the south shore of Nova Scotia from Halifax to the west—they can everything, and the result is that the lobsters are disappearing. Wouldn't it be better for the people there to turn their attention to the live lobster trade, to the catching of those lobsters of sufficient size, in order that they may be sent to the markets of different cities, and while the canneries would have to disappear, in the space of a few years the people would be better off than to-day, and would it not have the effect of bringing back the lobster which otherwise in a few years will be gone?—A. I think, speaking from the lobster standpoint, that the lobster industry would benefit materially and in a few years time they would easily double in value—the lobster fisheries—I would say in 10 years, because the lobster is of slow growth.

Q. Another question is that of propagation. We were given figures along this line in Boston. Suppose a lobster of 8 inches produces 10 000 eggs, a lobster of 10 inches will produce 20,000, and a lobster of 12 inches 40,000—it goes on increasing by arithmetical progression. People in Boston said they would not only have a minimum size but they would have a maximum size, because the large lobsters

were not as marketable—not as great a delicacy, and in addition to that whenever you took a large lobster you were taking a lobster of marvelous reproductive capacity.—A. When a lobster gets beyond 13 or 14 inches you seldom find them bearing eggs.

Q. There is a limit to productive capacity—when you get over 10½ inches you find the lobster having the greatest productive capacity—you have a tremendous difference in the number of eggs.—A. About every inch doubles the number of eggs.

Q. It is a fact that those larger lobsters are the least satisfactory to handle in the trade?—A. After 14 or 15 inches they get coarse. A maximum size, I think, would take care of conditions.

Q. If you did not allow anything caught under 10½ inches, I think you would have a tremendous increase?—A. That would be the time to bring in the maximum size.

Q. Generally speaking you would say that would be a benefit to the lobster industry?—A. Yes.

Q. If you are going to save the lobster industry you have not got to deal with special or local interests?—A. Still you must remember that a man or company of men that have been given a license to can lobsters and then have it taken away, some compensation should be allowed.

Q. That is being done very largely in other business.—A. They are all supposed to have got enough to retire. I am not at all interested in the lobster industry, but I know that is the situation.

Q. What amount of money is invested in an ordinary lobster cannery?—A. The Robert Simpson factory is worth five or six thousand dollars. The larger lobsters are exported and the small ones packed.

Mr. BRITAIN. Mr. Chief Justice, in connection with some remarks brought out by the Honorable Mr. Redfield regarding the development of the market for fish in the United States farther West—such as in St. Louis and Pittsburgh, is it not a fact that the development has taken place within the last three years, and is it not a fact that that development has taken place through the efforts of the United States Government departments in advertising or in other methods of encouraging the consumption of fish as a food?

Secretary REDFIELD. That is very largely true, Mr. Brittain. There are some concerns in the fresh fish business that have shown a great deal of enterprise—have sent their men—have known how to enlist the women's organizations in their behalf and taken it up in a thoroughly intelligent way. I am speaking of fresh fish. At the same time I do not think that has been anything like as widespread as it is possible it might be. Whereas Dr. Smith's service has been extremely active but with very small means, and when I speak of what has been done inducing the people to use fish, the sum he had to work with over a period of two years was \$25,000. It was largely the work of the man in the field. It was tactfully done—for instance we would furnish placards and posters bearing the Government name which we would supply to a town in recommending certain fish food, furnish a cookbook published by the United States Government in which women of prominence would contribute recipes—I know that my wife and the wife of the Postmaster General furnished recipes—the articles were taken to the university—teachers of household economics—and given to people to eat there. The fish dealers were encouraged in the use of canned goods by

allowing the use of a Government label stating that this article is approved by the United States Bureau of Fisheries. They used the label and kept the price down and the quality up. It worked to the extent that we put on the market an entirely unused food. As to the grey fish, we had one order for 43 carloads, which for lack of cans we could not fill.

Mr. BRITAIN. I wanted to get back again to the question of increased production. I personally have always felt that the soft pedal has been on the production end, owing to the fact that we did not have sufficient markets, and the individual firms did not have the public sufficiently interested in fish as a food to enable us to increase our equipment and our supply. There is no doubt that we can increase our supply to an extent unknown at the present day.

(Conference adjourned to 2.30 p. m.)

#### AFTERNOON SESSION.

#### STATEMENT BY MR. HAVELOCK WILSON, CANADIAN INSPECTOR OF CURED FISH.

By Chief Justice HAZEN :

Q. You are in inspector of the Dominion Government under the Cured Fish Inspection Act?—A. Yes.

Q. Your business is fishing is it not?—A. It was previous to my appointment.

Q. That has been your business for many years?—A. Yes.

Q. Have you ever fished for shad?—A. Yes.

Q. And have cured shad, have you?—A. Yes.

Q. What is the state of the shad fishery to-day as compared with some years ago?—A. I have not been at the shad fishing of late years, but there are two gentlemen here in the room who would be able to tell you. My understanding is that the shad fishery is about extinct here.

Q. Has it been getting less of late years?—A. Every year it has gotten less.

Q. Are there any shad up at the head of the Bay?—A. I have not seen any up there.

Q. If it goes on at the present ratio of decrease it means the final wiping out of the industry?—A. That is the feeling among the fishermen.

Q. What is the feeling among the fishermen as to the steps to be taken to preserve the industry?—A. Those that have expressed themselves to me say that the fishing on the St. John River up on the spawning grounds is the means of ruining the fishing, and of late years they have been allowing them to catch the come back shad—those that have been up and have spawned. A few years ago they were not allowed to catch them.

Q. They are caught probably outside by drifting?—A. In the harbor by weirs and drifters.

Q. For instance the fishermen at Pisaripco drift for shad, but they drift in the harbor also.—A. Yes, sir, and on the St. John River as well—they have set nets and they drift for them as well.



Q. You are speaking from the standpoint of the harbor fishermen, and you say their idea is that the catching of shad should be stopped on the river?—A. On the spawning grounds.

Q. Where are the spawning grounds—on the Kennebecasis?—

A. One man told me this morning he thinks above the head of the reach.

Q. They go up the Kennebecasis and the Washademoak?—A. I think they do, but that would be above the head of the reach.

Q. You would not suggest the prohibiting of catching them for a certain number of years. I understand in the United States they restored the industry in that way.—A. I would be of the opinion that if they were stopped for a few years, or stopped on the spawning grounds, it would replenish the fishery.

Q. If you allowed the catching to go on around the harbor and the coast, if the fishing were prohibited on the spawning grounds, do you think that would be sufficient?—A. I do not know—the fishermen themselves would be apt to know more about that. I have been out of it for four or five years.

Q. You do not do any vessel fishing, do you?—A. I have done it, yes.

Q. Where have you fished with a vessel?—A. Down around Grand Manan.

Q. You never went to the banks, did you?—A. No, nothing but that.

By Secretary REDFIELD:

Q. What time do shad run here?—A. About the 10th of May when they start.

Q. Are they caught by pound nets or fixed weirs?—A. In our harbor by weirs and drift nets.

Secretary REDFIELD. We had a rather interesting experience in that connection in the Potomac River. Two years ago this coming spring we got rather less than twenty million eggs at our hatchery and were considering the question of closing it. We found down in Chesapeake Bay that the weirs—the nets were so close together that they were like the teeth of a fine-tooth comb everywhere. We had no authority in our department to take those nets away, but the War Department had authority to remove obstructions to navigation. We got an engineer who had vision enough to see that they obstructed navigation. He cut 1,200 feet and 800 feet passages through them. The next year we got seventy million eggs in the hatchery, and the second year the small fishermen up on the Potomac River, I think in eight weeks or thereabouts, on an investment of \$150 to \$200, made \$750 to \$1,100 as the result of one year's catch.

Chief Justice HAZEN. The trouble with our fish hatchery here is to get sufficient eggs. They are a very delicate fish and you have to get your fish hatchery close to the spawning beds or you are apt to kill them in handling them.

By Dr. SMITH:

Q. What proportion of the total shad catch is taken in salt water and what proportion in fresh water?—A. I could not tell you. Mr. Brittain would be more apt to know about that.

By Secretary REDFIELD:

Q. What are your duties as fish inspector, Mr. Wilson?—A. The act is not compulsory at the present time, but chiefly branding alewives—inspecting and branding alewives—last year I only branded about 3,000 barrels.

**STATEMENT BY MR. HARRY BELYEA, FISHERMAN, OF ST. JOHN.**

By Mr. FOUND:

Q. To what comparative extent are shad caught in the bay and in the weirs in the harbor as compared with the Upper St. John?—A. I am not in a position to say; while I am a harbor fisherman, we fish weirs principally—we do not catch very many shad in our weirs. Mr. Wilson can tell you with regard to above the falls and Mr. Leonard can give you any information about the harbor and outside fishing.

Q. Would it be possible to prohibit the catching of shad in the harbor where these weirs are operated? Could shad caught in these weirs be liberated alive?—A. I do not believe it.

Q. Are you familiar with the drifting out in the harbor?—A. Yes.

Q. What mesh of nets are used?—A. About  $5\frac{1}{2}$ -inch mesh.

Q. And you are using these at a time when salmon are running?—A. Yes.

Q. And fishing for shad or salmon?—A. Well, shad.

Q. You get some salmon?—A. An odd one.

Q. If fishing for shad were prevented it would not be a hardship on the salmon fishing?—A. I don't really think it would. All the shad caught in the harbor of St. John these last few years put together would not be a very big parcel. Shad fishing in my time has become almost extinct.

Q. How many men are engaged in drifting for shad?—A. In the harbor of St. John I would say 100 at the outside.

Q. During what length of time—what portion of the year?—A. They start the 10th of May and end about the 24th of May. It is just a short season.

Q. You have not got figures as to the total catch of shad by these people here?—A. No, I would not have.

By Dr. SMITH:

Q. You require a particular kind of net?—A. Yes, sir.

Q. If prevented from shad fishing that net would be of no use in any other branch?—A. Of no use.

By Secretary REDFIELD:

Q. How expensive is it?—A. The shad nets used for drifting in the harbor would stand \$30 or \$35 a web.

Q. That is the length of those nets?—A. They run about 20 pounds—220 yard webs.

Q. What is the mesh?—A. About  $5\frac{1}{4}$ . These weirs that we have reference to—in some places they may affect the shad fishing, but these weirs in the harbor are built on the shore—the law calls for inside of low water mark. Our weirs are not outside very far—the law would not allow us.

By Mr. FOUND:

Q. You said these nets used for drifting for shad are not used for any other kind of fishing—how about drifting for salmon?—A. We use a different twine altogether. The only way we catch a salmon in the shad nets is if he gets this fine web in his teeth—we then over-haul the net and get him quick enough.

Q. Are you familiar with conditions on the Petitcodiac?—A. No.

Q. The reason I ask is that up in that part of the country we have the greatest difficulty possible in preventing fishing salmon with shad nets under the cloak of shad fishing.—A. A man who fishes shad in the harbor, if he caught ten salmon in a shad net in the course of a season fishing for shad he would consider he was doing very well.

By Dr. SMITH:

Q. What was the average catch of shad per net last season?—A. I would say about ten hundred—I was not fishing shad myself.

By Secretary REDFIELD:

Q. How long is the season?—A. Two or three weeks is the limit.

By Mr. FOUND:

Q. It would be a perfectly feasible proposition to prohibit shad drifting, but it would be a difficult matter to prohibit the capture of shad in weirs?—A. Practically speaking, the shad fishing done in the weirs amounts to nothing. For instance, I have two weirs—if I get 300 shad I would be doing well. They are not constructed for that purpose.

By Dr. SMITH:

Q. What is the principal fish taken in the weirs?—A. Gaspereau or alewives.

By Mr. FOUND:

Q. The difficulty is that if shad fishing is prohibited in other ways, these few shad caught in the weirs could not be put on the markets.—A. It would be an impossibility to liberate a shad from the weirs. A shad will not stand any handling and live. I have seen at neap tides a shad left in three feet of water. Before the next tide they would turn red around the gills and head—they practically die. These same boxes that we put 50 salmon in to keep them, if you put one shad in there the next day he is keeled over. They won't stand confinement or handling. They are not ready to spawn when we get them.

Q. The total quantity of shad caught in New Brunswick last year was 3,287 pounds in weight.—A. I don't really see that it would cut much figure if they were prohibited for a few years. It would be a benefit. We have never seen any real benefit from this shad hatchery yet in this part of the country. They have been catching these shad on the spawning ground principally. Those shad they catch there are these female shad which are full of roe. A large percentage of those we get here are buck shad. We want to save those on the spawning ground. They have been around there catching shad after they have spawned—they catch them coming down. They are not a very nice fish. They split them and salt them. They are very white looking after they are salted.



By Dr. SMITH:

Q. Why do you not catch the female shad?—A. There does not seem to be the percentage of them. We catch a large percentage of male shad. Whether they get by or how they arrive there I don't know. I have only drifted for them in the harbor and what we get in the weirs.

**STATEMENT BY ROBERT E. WILSON, FISHERMAN, OF ST. JOHN.**

By Mr. FOUND:

Q. You have been working in connection with the hatchery during the last year or so?—A. Yes; I have caught shad for Mr. Walker at Darling's lake and in the Washademoak.

Q. You have been fishing up river on what have been referred to here as the spawning grounds for some years past?—A. Yes.

Q. What are your catches up there each year per net?—A. The last year I was up about 1,600 and some odd shad for 12 days—we had 500 and some odd in one night.

Q. Were any other fish caught during the time you were fishing for shad?—A. We caught two salmon in that time.

Q. Is there any shad fishing carried on later on in the season—ostensibly shad fishing when salmon are fished for?—A. No; the only thing is they fish them as long as they get one—they do both farming and fishing.

Q. How many people engage usually in shad fishing during the spring season?—A. The way to find out is to find how many farmers there are from the head of the falls to Fredericton. Every farmer has a net or so.

Q. Each one drifting?—A. All set—no drifting on the St. John River.

Q. So the fact of the matter is that it is not a very important matter to anyone at the present time—the shad fishery?—A. No, only of course there are a good many fishermen making a good dollar out of it. Last year was a poor year, but I think we fished 250 or 300 for the short season. As far as stopping the shad fishing, I think below the falls it does not matter. It is the roe shad they catch up there—we cannot catch them here—we only fish  $5\frac{1}{4}$  nets—we get the buck shad here. The nets up there lay in the bottom and those big shad drift in them.

Q. Are you a land owner up the river?—A. No, I belong in the city. It would be a good thing if something were done on the spawning grounds from the reach up that would do away with those fish that destroy the shad. The eggs come up and go along the shores sometimes an inch thick all over the shores, and there are millions of ruined eggs. The shad that die drop out of the net and in nine days' time then come up. In the Washademoak Lake I would say there would be 50 of those short nets—after they are fished a couple of weeks you see those big shad come up. The reason the hatchery could not get the amount of eggs, a shad meshed in the net the eels eat him—if a shad dies the eels won't bother him.

By Dr. SMITH:

Q. When are these nets fished?—A. Fished all at night time.

Q. Visited at night or only the next morning?—A. All night,

about every two hours. At one time I got 500 shad and loaded a 17-foot skiff boat, and I think down here you would have to take 1,200 or 1,500 shad to load it. We barreled them up and delivered them—over half a barrel of ripe spawn ran out of these.

By Mr. FOUND:

Q. They would not exude good fertile eggs at the moment you caught them?—A. That is, if the hatchery had been right there—I have caught 200 shad one night and got 58 spawn out of them.

Q. Was that your experience generally?—A. I examined every one—I only got 10 cents apiece for each shad—buck and roe.

Q. That was a high percentage of spawning shad to find?—A. That was a very good run that night.

By Dr. SMITH:

Q. What is the largest number of eggs taken at the hatchery in any one season?—A. I couldn't exactly say—I think it was a little over a million one year and not quite a million another year.

Q. All of our eggs at all of the hatcheries we operate are obtained from the fishermen. We have the spawn takers who visit the fishermen when attending their nets and our own men take the eggs and fertilize them and pay the fishermen \$20 a million for the eggs. When the eggs are taken from a fine roe shad it somewhat impairs its sale value and in order to keep on the good side of the fishermen and encourage them we pay them for the good eggs which we obtain from them.—A. Sixty thousand is about the average of a shad that is a good spawner.

Q. They run all the way from ten to ninety thousand, and probably would average 30,000 in the Potomac River.—A. You get a shad that is ready to spawn—if you get all the eggs you get about 60,000.

Q. Is most fishing done at the spawning grounds?—A. Yes; the biggest part of it.

Q. Is a million eggs or so the largest number taken in any one year for the hatchery?—A. I think there was one year it ran a million or a little more.

Q. Are the fishermen paid anything for the eggs?—A. Ten cents a shad. I was offered 25 cents the last year.

Q. Are the eggs collected by people from the hatchery?—A. I got 5 cents more for squeezing my own shad.

Q. Would the fishermen up the river know how to take and fertilize eggs?—A. No; it was something new to them. I had to have my own ponds. You can pretty nearly tell once you put the fertilizer and the water on them—the bad eggs turn white and float up.

[See Exhibit Y (page 382), order in council subsequently passed establishing closed season for shad in Bay of Fundy.]

#### STATEMENT BY MR. WALTER LEONARD, PRESIDENT OF THE LEONARD FISHERIES CO., ST. JOHN.

By Chief Justice HAZEN:

Q. You live in St. John?—A. Yes, sir.

Q. What is the fishing company you are connected with?—A. The Leonard Fisheries Co.

Q. Are you an officer in that company?—A. I am president.

Q. That company has an office in Montreal?—A. Yes.

Q. And an office in Digby?—A. Hawksbury, Canso, and Halifax.

Q. How long have you been engaged in the fishing business?—A. I am about out of it. I have not taken much interest these last years, but as far as shad are concerned I consider them about extinct. We can not get enough for the local trade, let alone shipping them.

Q. They can hardly be considered from a commercial standpoint?—A. No.

Q. Would you be in favor of absolutely prohibiting the catching of shad for a number of years?—A. I certainly would be.

Q. Do you know of any other measure that might be taken to prevent the total destruction?—A. No. I have never taken any great interest in them. I think our friend Calder, also Mr. Brittain, would be pretty familiar with the shad part of it.

Q. You own vessels, do you, in your company?—A. Not at the present time. There are smacks and small vessels for collecting fish.

Q. Do you do any business with the American market?—A. In some branches we do, sir.

Q. Have you in the past?—A. More or less for many years.

Q. What fish have you been selling in the United States' market?—A. Late years?

Q. Yes?—A. Since we amalgamated with the different concerns—it has been only about a little over a year. Some sections—take the western United States—we send quite a few smoked fish, haddies, there.

Q. These fish are dutiable in the United States?—A. Yes, the haddies are.

Q. Has your attention been called, Mr. Leonard, to the restrictions that are imposed on Canadian fishing vessels going into the United States?—A. Only what we have read, sir.

Q. You are aware that a Canadian vessel can not take its cargo direct to the United States. It has to go to a Canadian port first and then either transfer its load to a merchant vessel or itself get registered as a merchant vessel?—A. Yes, sir.

Q. And a Canadian fishing vessel can not clear for the fishing grounds direct from an American port, but has to come to a Canadian port first and take its clearance from there?—A. Yes, sir; I understand.

Q. From your experience in the fishing business would you regard it as an advantage not to have those restrictions?—A. There is no doubt about it.

Q. The advantage would be that the vessels could get to the fishing grounds more quickly and catch more fish.—A. Yes, sir.

Q. Consequently there would be a saving of expense?—A. I think Mr. Wilson and Mr. Brittain covered that pretty well.

Q. There is nothing that you would care to add to that?—A. No, sir.

Q. You say that they covered that pretty well. Are you in accord with their views?—A. I am, sir.

Q. Do you also agree with their views with regard to the using of Canadian ports by American vessels?—A. In a thing of this kind it is necessary to give and take.

Q. Would you think it was a pretty fair arrangement if in exchange for allowing Americans to use our ports in the way we have



talked about today, they were to give us access to their markets by removing the disabilities that exist at the present time? Would that be a fair arrangement?—A. I think so, sir.

Q. Are you engaged in lobster fishing at all, Mr. Leonard?—A. No, sir.

Q. You know that the lobster fishing has fallen off a great deal of late years?—A. I have no doubt of that, sir.

Q. Would you suggest any remedy for that state of affairs?—A. I thought that idea that you threw out before we went to lunch a good one, to close the whole business for two or three years not only in Canada, but in the United States.

Q. What I suggested was that nobody should be allowed to catch lobsters or to have them in their possession that were less than 10½ inches in length. With that was involved the closing of the lobster canneries along the coast from Halifax this way.—A. That would leave a very small percentage to be caught.

Q. It would at first, but they would grow?—A. No doubt.

Q. Do you think that would be an effective way of dealing with the matter?—A. I think that would be feasible.

Q. There are parts of the coast where you could not do that, but on the Nova Scotia coast they can send their fish fresh.—A. How would it do to can those large ones?

Q. Would you advocate letting them can, but catch nothing but those 10½ inches and over?—A. Yes.

Q. In Charlotte County the law is nothing caught less than 10½ inches. The fishermen find it pays them better to send them fresh to the markets. In St. John County the size is 9 inches, and no lobster is admitted to the Boston market less than that size. There are no canneries here because there is a good market for all fresh fish.—A. Of course the Boston market would prohibit that, anyway.

Q. In the State of Maine they are not allowed to catch lobsters less than 10½ inches, and I understand the fishermen there are all in favor of maintaining that for the reason that a 10½-inch lobster is a better fish than a 9 inch one, and it also deposits more eggs. The result is it keeps up the business better. Is there anything you would like to say, Mr. Leonard, with regard to this?—A. No, sir; I don't know very much about this lobster end of it.

Q. About our relations with the United States with regard to fisheries?—A. As I told you before, I thought Mr. Wilson and Mr. Brittain covered that pretty well.

By Secretary REDFIELD.:

Q. I would like to ask if you in your operations have ever run across a law of the United States which requires a Canadian vessel which passes through the territorial waters of the United States to register at the customhouse of the first port she enters?—A. No; I don't know of it, sir.

Q. (To Mr. Brittain.) Do you know that, Mr. Brittain, in your operations?—A. We did have some trouble a few years ago sending a trawler into New York.

Q. She probably ran through Long Island Sound.

Q. (To Mr. Gardner.) Mr. Gardner, have you ever had occasion to run up against that?—A. No; I don't think so, sir.

Secretary REDFIELD. It is an old law passed in 1840 somewhere, intended to prevent smuggling, but it happens to be the law which is

utilized in Alaska to-day under which Canadian vessels coming up the inside passage, which they practically are obliged to do there, have to go into the American port of Ketchikan and register and take a clearance to any port they want. We had supposed that law was practically a dead law upon the Atlantic coast, but on inquiry at the city of Portland, which a Canadian vessel might conceivably enter from the eastward by going into Gasco Bay, we found there were some 30 or 40 occasions in a year where a Canadian vessel has to go through that performance. She reports herself and goes away again, but she has got to go through that performance.

Mr. LEONARD. That would be too slow for the fish business.

Mr. Calder called (not present).

Mr. GARDNER. One of the arguments put up was to the effect that our accommodations for the crews were made in tiers of three or more berths, and therefore that we took up very much less room than the American vessels did for the accommodation of the crews, which gave us very much more space for the cargo and therefore that we could accumulate and get a larger cargo than American vessels. I would like to deny that. The accommodations are exactly on the same basis as our American friends' are.

Secretary REDFIELD. How are they arranged?

Mr. GARDNER. Two berths high, with a bunker as we call it along the side.

Chief Justice HAZEN. Is there any provision for hospital accommodation?

Mr. GARDNER. Nothing further than that each vessel carries a medicine chest, and I think that there is something laid down in the laws as to what this medicine chest must contain.

Chief Justice HAZEN. No place set apart where an ill man may be placed?

Mr. GARDNER. No.

Secretary REDFIELD. Have you a law providing a certain number of cubic feet per man in the sleeping quarters?

Mr. GARDNER. I do not know that there is any law making us have it, but I think that we have plenty of space. I am sure if you went into one of those vessels and saw the space provided you would find we were providing the same amount of space. Probably we have caught it from the American accommodation. Generally 8 men are accommodated in what we call the cabin and 12 in the fore-castle, and they seem to be very spacious quarters and plenty of accommodation.

Secretary REDFIELD. It is a matter covered by the seamen's law of the United States. In that law we prohibit them from accommodating seamen more than two berths high. A great many of the merchant vessels are more than three high, and the lake vessels.

Mr. QUIGLEY. Our seamen's law, however, in this particular does not apply to boats of less than 100 tons, and only to those over that tonnage constructed after the passage of the seamen's act.

Secretary REDFIELD (to Mr. Benjamin Smith). Mr. Smith, have you supplied bait from Gloucester to Canadian points?—A. Yes, sir.

Q. Tell us what your experience in supplying bait has been—how it came about and the extent to which you have done it and where?—

A. We accumulate a lot of fish in July since we have the cold

storages in Provincetown and Gloucester, and when bait is scarce in Newfoundland or when the Lunenburg fleet want to fit out their bankers, if they are a little short of herring bait which they used to use, they generally secure it from Provincetown or Gloucester. I have shipped it down to Newfoundland and I think I have shipped it down to Lunenburg. I have sent a cargo down to Newfoundland of two or three hundred thousand pounds—only to fit out the first bankers about this time of year. We have three bankers now fitting out, and we have a vessel loading in Gloucester. That is frozen squid we send down to them. We have also supplied the French at St. Pierre from our cold storage. We sent half a million pounds down one year when bait happened to be scarce in the early part of the year.

Q. Is this bait that you speak of squid?—A. Yes, sir. I sent some herring down to Newfoundland three years ago that I secured on the Pacific coast—frozen herring—thirty or forty thousand pounds.

Q. On this matter of accommodations that Mr. Gardner kindly told us about, are your vessels equipped two high?—A. Yes, sir; practically no difference between our bankers as far as equipment goes. Our beam trawlers—I do not know what the point was about being three high.

Q. It is forbidden by the seamen's law in the United States to accommodate seamen more than two high in vessels built after the passing of the law, of more than 100 tons: there is some question as to whether that is not retroactive.

Mr. QUIGLEY. The only time it came up in court was in the Southern District of New York, and the court sustained our view that it was not retroactive.

By Secretary REDFIELD.

Q. After the passage of that act you would have to alter the accommodations?—A. I do not remember ever seeing fishing vessels more than two high.

Q. I would like to ask Mr. Wilson as to the custom in Halifax?—A. None of the fishing vessels of Nova Scotia of 100 tons or more have the berths more than two high. Some of the boats are too cramped for more than two. Usually there is a boot locker in addition, or the space is used for storage purposes if it is more than two high—in the nature of a shelf or rack.

#### STATEMENT BY MR. JOHN F. CALDER, INSPECTOR OF FISHERIES.

By Chief Justice HAZEN:

Q. You are inspector of fisheries for this district, Mr. Calder?—A. Yes, sir.

Q. You were here this morning when there was some discussion about the lobster regulations, I think?—A. Yes, sir.

Q. From your own experience are the lobsters increasing or decreasing along the coast of the maritime provinces?—A. Decreasing.

Q. Are they increasing or decreasing along the coast of Maine?—A. Decreasing.

Q. Are they decreasing in Charlotte County?—A. Yes, sir.

Q. Has there been any improvement in the state of affairs in St. John County since all canning was stopped in those counties and the



size limit was fixed at  $10\frac{1}{2}$  inches in Charlotte and  $9\frac{1}{2}$  inches in St. John County?—A. My answer would be this: That for the second year after the law was passed there was a marked improvement. Unfortunately, on my own recommendation—I will assume full responsibility—the open season was made too long; therefore, we are not getting the full benefit from a  $10\frac{1}{2}$ -inch law for the proper open season. The first season we knocked off 9-inch lobsters was 1909, and it stands to reason the catch fell off. The following year, when those lobsters not taken that year arrived at  $10\frac{1}{2}$  inches, the fishing increased wonderfully, and it looked to me at that time as if it was going to continue to do so. Unfortunately, that year we took too many, and each succeeding year, to the extent that our fisheries are not holding out.

Q. What do you say is the best limit?—A. Ten and one-half inches. With regard to the Maine coast, there is a reason which is apparent why their fisheries can stand a longer open season than ours. During the winter and spring months their smacks go down here and purchase lobsters. They take them home and put them in their pounds. They select the lobsters in which berries are shown during the summer, and these are sent to the hatcheries. As a result of that the Maine coast gets the benefit of their own berry lobsters and a large portion of the lobsters from the maritime provinces.

Q. How do they get those lobsters?—A. With well smacks.

Q. What are they doing at that season of the year?—A. Going for the purpose of buying lobsters for the pounds.

Q. During the open season?—A. During our open season—putting them in their retaining pounds. At the proper time in a large number of cases the female lobsters exude spawn.

Q. Are there many of these retaining pounds in the State of Maine?—A. I have not the figures before me but from my own knowledge I would say, offhand, a dozen.

Q. Even with that you say the lobster fishing in the State of Maine is falling off?—A. Yes. My opinion is that the season is too long. Their season is practically the year round. Ours is too long.

Q. How long is yours?—A. In the county of Charlotte from the 15th day of November to the 1st day of June. I have been a great advocate of the  $10\frac{1}{2}$ -inch size limit. I am yet, but I have recently arrived at the conclusion that the best thing to do is to have the 9-inch size limit—the size limit in Massachusetts—westward from Canso, Nova Scotia, but to protect the lobsters by a very short open season. For instance, allow fishing for lobsters from December 15 to April 15, on our coasts. That would confine the fishing to a period when there is practically no other fishing to be done—at a time when the lobsters can be best handled, at a time when they are needed the most as an article of food. I will admit that I have always recommended  $10\frac{1}{2}$ -inch size limit, but if you are going to have a uniform regulation I would suggest that it be the 9 inches.

By Secretary REDFIELD:

Q. But you couple with the 9 inches the short season; you would not approve one without the other?—A. No, sir.

By Chief Justice HAZEN:

Q. Would you believe in a maximum size for lobsters?—A. No, sir. The larger the lobster the more spawn they carry. It seems to me

that part of the question would look after itself. I think the great protection is the short season.

Q. You speak of an open season from December to April. Would you have a uniform open season clear from Halifax around the coast, including Charlotte County?—A. I would.

Q. At the present time the seasons are different?—A. In St. John and Charlotte Counties. While the uniform season may bear a little hard on some little locality, as you well said this morning, you have got to consider the fishery as an entirety—if you are going to do anything for the conservation of the lobster industry you have got to make a workable law which applies to all sections.

Q. Why is it not possible to have the open season different—that out from Halifax one season and Charlotte and St. John another—why is that not possible?—A. It would be possible.

Q. What is the advantage of having it just one season?—A. The advantage is this: it is easier to enforce the regulations because of the simplicity of the thing.

Q. Do you think it would be easier to enforce the law and more effective if the laws in the States that produce lobsters along the Atlantic seaboard were made similar to ours?—A. Decidedly so. Our great trouble in Charlotte County is that it is situated close to the United States border and it is pretty hard to watch people all the time. Frequently they succeed in getting small lobsters across and shipped through to Massachusetts. That is one of the reasons why I advocated a 9-inch size—the general market in the United States demands a 9-inch lobster.

Q. In your opinion, if there was a 9-inch law applying to the lobster States and to Canada, and if there was a season of four months in both countries, would that lead to a restoration of the lobster fishery? Would it prevent its destruction and cause it to increase?—A. In my opinion it would.

Q. Suppose you make the size  $10\frac{1}{2}$  inches. Suppose they pass a law in Boston that no lobster of less than  $10\frac{1}{2}$  inches shall come in. Suppose that we pass laws preventing the catching of lobsters of less than  $10\frac{1}{2}$  inches, in a year or two what do you think the effect of that would be?—A. Why, a decided improvement.

Q. And would make the industry much more profitable?—A. That would really be very much better than the 9-inch size, considering only the fishery.

Q. You were bearing in mind that the 9-inch size was the size demanded in the Boston market?—A. And public opinion as well as conservation of the fishery, and the law which would not meet with too much public disapproval.

Q. And you think it easier to get for 9 inches than  $10\frac{1}{2}$ ?—A. I do—coupled with a short season.

Q. Unless some measure of that sort is adopted, what is going to be the fate of the lobster industry?—A. It will be practically exterminated.

Q. It is a question of allowing the industry to be destroyed or passing drastic laws to regulate it—we are up against that proposition?—A. Yes.

Q. We have had some discussion with regard to the shad fishery. What is the condition of the shad fishery in the Bay of Fundy?—

A. Very much the same as the lobster fishery—not very much the same; decidedly worse.

Q. Is there danger of the shad reaching the vanishing point in a few years?—A. They have reached such a point now; there is danger of their reaching the vanishing point very soon.

Q. I presume as a fishery officer you have been giving consideration to the matter. What would your suggestion be as to a proper step to take to protect the shad fishery?—A. I would suggest first that you have a close season for at least three years. At the end of three years the season could be extended still further, if necessary. It would be quite hard, I admit, on some people right on the St. John River who would be prevented from taking shad this year, the next year, and the following year. The fourth year they might be able to take as much as they would now, and the fishery would be in better condition.

Q. Some evidence was given here this afternoon by gentlemen who catch shad, who are of opinion that if there was a close season up the river in the waters where the shad resorts to deposit its spawn, that might answer the purpose?—A. That would answer a certain purpose.

Q. Would it be as effective as a total prohibition?—A. No, because the ones you take in the harbor and on the way up would never reach the spawning grounds.

Q. What is the close season?—A. Six o'clock Saturday night to sunrise Monday morning. The number of shad taken averages about 40,000 a year.

Q. Is that decreasing?—A. It decreased last year. Three years ago was one of the best years we have had in five or six years. They make their first appearance from the 6th to the 10th of June, going up the river.

Q. There used to be a lot of shad caught up at the other end of the Bay of Fundy. Are there any caught there now?—A. No, not to any extent; very few caught there now.

Q. To what do you attribute the falling off in the number of shad?—A. Excessive fishing.

Q. Any other cause?—A. No; I am not a scientist or a chemist. I can not tell whether it is due to pollution of the waters or not.

Q. Did you ever hear that in the upper part of the bay it was caused by sawdust going into the waters?—A. I have heard that. Those conditions do not obtain down here. I think most of that stuff is camouflage. The real reason is excessive fishing.

Q. You believe that prohibition is the only way to deal with that?—A. Prohibition for a period of time.

Q. Have you yourself engaged in deep-sea fishing?—A. I certainly have in my younger days.

Q. You are altogether out of the business now?—A. I have been out of it for 10 or 11 years.

Q. You know of the American vessels coming into our ports under the *modus vivendi* licenses?—A. Yes, sir.

Q. Do you consider that has been of advantage to the American vessel owners?—A. It has been an advantage to the American vessel owners.

Q. When they come in do they buy bait in our ports?—A. Oh, yes; they buy bait if they take out a license.



Q. They must consider it an advantage or they would not pay \$1.50 a ton?—A. I would presume so.

Q. You think that right taken away would be to their disadvantage?—A. Yes, sir.

Q. You have heard it stated here to-day that the Canadian vessels can not clear from the fishing grounds to Boston or to an American port, and that they can not clear from an American port direct to the fishing grounds. Do you regard that as a considerable disadvantage to the Canadian vessel that wishes to take a catch into New England?—A. It is a certain disadvantage. It has been a complete prohibition of such being done and our people have considered it quite drastic, and without doubt the fishermen have put up with considerable loss and inconvenience on account of such a regulation.

Q. If the people of the United States were willing to throw down the bars and allow our vessels to come in and out of their ports as their own vessels do, would you consider it would be a fair exchange to extend the rights of our ports to all vessels no matter how propelled for a nominal amount or for no amount?—A. I certainly think it would be a fair, equitable, and just arrangement, and the amount we should charge should be nominal and better have nothing.

Q. Your idea would be that that arrangement would be fair to the people of both countries?—A. It certainly would be.

Q. Mutually advantageous?—A. It would bring the question away back resting on the proper basis. If it is to the advantage of a particular vessel or concern to sell to either one country or the other they would have an opportunity to do so, and it would bring it all back resting each case on its own merits without working any hardship or disadvantage to either side. Furthermore, it would help cement the friendly relations between the two countries.

By Mr. SWEET:

Q. You heard the talk this morning with regard to the increase in the American market for the consumption of fish and a campaign to make it larger?—A. Yes, sir.

Q. Is it your opinion that the use of fish has been increased during the war throughout the United States and Canada?—A. Oh, yes; decidedly so.

Q. Recognizing the fact that fish is a good and wholesome food, do you think that more people are now becoming accustomed to the use of fish as a permanent addition to the market?—A. Yes.

Q. Along side by side with the increased demand for fish there will be a natural tendency to increase the supply?—A. Fish is a good article of food. It is simply a question of bringing fish to the interior of your country, and once eating fish they would prefer it to a good many meats. It is more economical to eat fish at the present time—consequently I think the demand for fresh fish will be doubled in five years.

Q. Taking that into consideration, would it not seem to you to be an added reason for the fishermen themselves engaged in the industry on either side to be rather liberal in their view than to be narrow?—A. I surely do, and there is every reason why they should be liberal and broad in their view.

Q. And the change that is proposed on both sides that you have said you thought would be equitable would be in the nature of diminishing waste energy, would it not?—A. Exactly so.

Q. It would of itself have a tendency to considerably increase the supply of fish with the same amount of effort now made?—A. Yes.

Q. You would avoid these voyages or trips?—A. You would get the maximum output with the minimum effort.

Q. Has your attention been called to the question of fish spawned in a particular stream returning afterwards to that stream?—A. No; I have no information. My district is confined to the counties of St. John and Charlotte, and most of the spawning is in the counties after you pass St. John.

Mr. SWEET. I would like to ask Dr. Smith if that is considered to be the rule now among scientific men?

Dr. SMITH. As with salmon so with shad. A fish which comes into existence in a certain stream and spends a certain part of its life there and goes back to the sea is likely to return to the stream of its origin; that does not necessarily imply any highly developed instinct of nativity on the part of the shad or salmon, but it does mean that there are certain natural laws operating on those fish when they come back from the sea to spawn, and a shad or salmon is more than likely to go back to the stream in which it was born than any other stream. That I believe is true of wild animals and birds.

Chief Justice HAZEN. We believe the salmon return here to the different rivers. Take the rivers flowing into the Bay Chaleur, the Metapedia, and others—the salmon in those rivers are all different one from the other. The universal belief is that the salmon always returns to the same river in which it was spawned.

Mr. SWEET. I call attention to it not because of the shad part of this hearing having very much to do with the United States section of this conference. It seems to me to be rather a local question, but I think it is a very proper one to discuss. Secretary Redfield referred to what has been done at Chesapeake Bay, and it occurred to me in connection with this it might not be harmful to call attention to this—that whatever you might do in connection with protecting your shad industry you would get the benefit of it yourself almost wholly.

By Dr. SMITH:

Q. We are very much interested in the lobster fishery. It is occasioning us much concern, and we are therefore desirous of having all possible information and all kinds of views as to what the situation demands. I would therefore like to ask what you had particularly in mind in advocating an open season for lobster fishing between December and April?—A. Of course, as far as the lobster fishery is concerned—if we had that only to consider, some other four months would do as well. I was taking the occupation of the fishermen and the other branches of the fisheries into consideration as well. They have to make a living in their occupation—have to catch certain fish certain seasons of the year when they are in the water. After the 1st of April trawl fishing begins and continues until the middle of December, when it practically ceases. The sardine weir fishermen in St. John and Charlotte Counties, their season closes about the 15th of December. To a greater or less extent all the trawl and line fishermen are lobster fishermen. Therefore if you made a season which fitted in for the fishermen during the otherwise dull time, you get the same output of lobsters—give

all the fishermen a chance to partake in the fishery—they take the lobsters when they are a good price, and therefore it is the best time of year to do it.

Q. That might be the case on the coast of New Brunswick or Nova Scotia; it would hardly be the case on the coast of Maine?—

A. As Chief Justice Hazen remarked, you should have a uniform length of close season or open season which would afford the same protection.

Q. Is it not conceivable that you might have a close season of four months during which there was no lobster fishing, and yet the activity of fishing at the end of that period might be such that all the good effects of the close season would be counteracted?—A. If the water is filled with traps as much fishing can be done in 2 months as in 10 months. You take the winter months; you can't fish every day. At the same time the men engaged would get a good return for their labor. That is another reason why it should be confined to the winter.

Q. The effect of this regulation or law would simply be to reduce the catch—the purpose of it would be?—A. As a protective measure to prevent you from taking more than your interest—to at least hold your principal with every prospect of your principal increasing.

#### STATEMENT BY MR. JOHN JACKSON, FISH DEALER, ST. JOHN.

By Chief Justice HAZEN:

Q. Mr. Jackson, you are interested in the fisheries question?—A. If there is any possible way this commission can bring about a code of laws which will remedy the difficulties we have had to contend with in the past, I think you will fulfill a mission looked for for a long time. As you know, I am a business man in the town. I am a distributor of the cured commodity. In my younger days I did some fishing, but nothing that would throw light on the question. I am particularly interested in this grayfish issue. I think it is a commodity that can be put to good use. I think it is better than many of the table fish we are after to-day. I am sure the efforts put forth by the Americans to utilize this fish are very laudable. We spent quite a little bit of our time when last in Ottawa to see if something could not be done along these lines. I procured several specimens and put them up in fairly good shape, but I never knew anything about it until a man in Aberdeen, Scotland, apprised me of the fact that it had been advertised there. [Clipping from newspaper shown to the commission.] There was a letter which came along with that. In prewar days we did considerable business with this Aberdeen merchant and he brought to my attention the fact that they had been using this fish for a number of years. As you know, sir, when last in Ottawa it was suggested that \$3,000 be set aside to experiment with this particular fish. I asked two or three of our New Brunswick canners and they told me there was no trouble at all in getting 2 or 3 tons of this variety, provided they got a suitable bonus. That was not the reason they did not put the stuff up. The main reason we did not procure a few tons of this stuff was that we could not secure the tin. The next reason was we could not secure labor and had not enough to fill the orders the



firm had already secured. But I really think there is a great future for our grayfish or flake.

Chief Justice HAZEN. It is grayfish by act of Parliament.

Mr. JACKSON. This Aberdeen man tells me that this flake has been in constant use as long as he or his father can remember, and they consider it a delicacy. It is a splendid commodity and I think it is a shame it goes to waste. I think if our Canadian Government would give us a bonus on it we could produce hundreds of tons.

Chief Justice HAZEN. Do you think a bonus is necessary at the present high price of food? There is no bonus in the United States.

Mr. JACKSON. The United States, as I understand it, have spent hundreds of thousands of dollars in exploiting this commodity.

Secretary REDFIELD. Mr. Maddock was employed for six months at a small salary, and at the end of six months we did not renew the employment. While we are speaking of the subject, I think we regard the grayfish as one of the most useful fishes we have. Dr. Smith has gone over to get some grayfish leather that we have at the hotel. Glycerine is also obtained from the oils of the grayfish, glue is made from his tail and head, and what is left will make fertilizer, besides what you eat. The only trouble we have had is to get enough grayfish in the United States and enough tin. A concern in Baltimore bought 1,000 cases thinking they would last all season. They were gone in a week. To-day if we had the tin we would be hundreds of thousands of cans behind the demand for grayfish even. We spent \$20,000 in a year in all ways. You have canned grayfish, Mr. Smith?

Capt. BENJAMIN A. SMITH. Yes, sir; we could not get the fish. We started in with the price too low—one-half cent, three-fourths—at last we paid a cent a pound as they came out of the water. Speaking of the skins, we have a pile of dogfish skins and 30 or 40 barrels of dogfish eggs.

Secretary REDFIELD. You consider it good property?

Capt. BENJAMIN A. SMITH. Yes, sir.

Secretary REDFIELD. He is a useful animal. He has been a great curse to the water front of both countries, and now he is an asset.

Mr. JACKSON. We had two canneries in New Brunswick putting up this commodity as sea chicken—it sold in the West Indies at a fairly good price. The sardine business came in. I think that is one of the main reasons why they dropped several of these little issues.

Secretary REDFIELD. A very interesting phase of the fisheries work in the United States and one quite capable of being taken up anywhere else is the development of fish as a source of leather supply. With the increase in leather prices it is necessary to look for an additional supply—it is perfectly hopeless to expect to get the leather from cattle. There are not enough cattle. There are three concerns I think tanning exclusively fish leathers in the United States. Shark skins make a variety of leather suitable for traveling bags, etc. In the same way the porpoise and a number of other fishes, particularly the whale, are also providing leather.

On the Pacific coast 3,000 square feet of leather has been procured from an 80-foot whale. His stomach, the lining of his abdomen and a portion of his mouth all make admirable leather. The Ocean

Tanning Co. has sprung up in Pittsburgh, making its entire product from fish. That is certain to be one of the great products from the campaign. We think there will be fishes caught for leather which otherwise would be neglected.

Chief Justice HAZEN. I want to ask you, Mr. Jackson, if you think it would be an arrangement fair and equitable to both—a fifty-fifty arrangement as expressed to us in the United States, if the United States Government would remove the restrictions that now exist against our fishing vessels using their ports in exchange for our extending the privileges of our ports to all vessels, no matter how propelled, and of allowing them the right to sell their fish in Canada, we having the right to sell fish in the United States—if you think that would be an arrangement fair and mutually to the advantage of both countries?

Mr. JACKSON. Surely, the sooner you can bring that about the better for both countries. I have not the shadow of a doubt about it.

**STATEMENT BY R. E. ARMSTRONG, SECRETARY OF ST. JOHN BOARD OF TRADE.**

Mr. ARMSTRONG. Mr. Chief Justice and gentlemen, it is so long since I have had anything to do with the fishing business that there is very little information I could give you which would be of use. I took an active interest in the sardine fishing and in the general fisheries of Charlotte County when I was a resident of that community, and I had the honor of occupying a position on the Sardine Fishery Commission of 1903, when the subject of the bearing of the sardine fishery upon the larger herring fishery was considered, and as I recall the work that we did at that period and the evidence adduced, it was our impression that the sardine fisheries were not exercising the detrimental effect upon the larger herring alleged by some of the champions of the larger herring. Mr. Found was with us as a member of the commission and he entertains a lively recollection of all that happened. I had the pleasure of participating in the eating of grey fish on that commission. Samples of the grey fish were submitted to us and we found them most excellent eating. Had I known that I was likely to be called upon I might have pulled my thoughts together a little better. I came here to be enlightened rather than to enlighten—therefore I have very little information.

Chief Justice HAZEN. We will meet here again to-morrow at 10.30 o'clock. Mr. Ferguson, chairman of the Board of Steamship Inspection at Ottawa, will give evidence regarding the inspection of ship's machinery, as a statement has been made before us at Washington to the effect that there was a difference in the inspection laws of the two countries. Mr. Short, of the Maritime Fish Corporation, will also be here, and some other gentlemen. If anyone wishes to add anything to what they have said to us to-day we will be only too glad to hear them. It is our desire to get the fullest information possible. We will be very glad if gentlemen who are here or who are not here, if anything of value occurs to them, if they will communicate it to us later on.

Mr. GARDNER. We all are aware of the fact that a greater production of fish is required. Might I ask Mr. Brittain or Mr. Smith

to answer these questions: Whether this will be produced by steam trawling vessels—we have not mentioned or taken into consideration probably what is known as the shore fisherman on the east of Nova Scotia or the Magdalen Islands where they catch herring—or will the greater fleet of the Americans or Canadians be of the sailing vessels which will use the herring for bait. The point is that if our ports are open for the American vessels to come in, and they are sailing vessels, it will be of great advantage to the shore fishermen who will sell bait. If they are steam trawlers which come in it will be an advantage to the merchant who may be able to supply them, or the machinist who may have to repair the engines.

Chief Justice HAZEN. Any arrangement made would apply to all vessels, whether steam or sailing vessels, and would apply to the steam trawlers the same as to any other vessels. I understand you ask for an opinion from Mr. Brittain or Mr. Smith as to whether they think the trawler will ultimately take the place of the schooner.

Mr. BRITTAİN. The way I figure it out at the present time we have a fleet of schooners at Lunenburg that are not what we call fishing enough. They are working from the middle of March until September—then I understand some go into coasting and others pull in for the winter. I would be willing to make a deal with Mr. Smith's firm to put those vessels at fresh fishing and keep them at it, and take those 102 vessels and put them into the fresh-fish business and give us further production. I have always wondered why these Lunenburg vessels have not gone into fresh fishing in the winter time.

Mr. GARDNER. We find it too strenuous upon our vessels to operate in the winter time. The point of the matter was whether the vessel was going to be of a sailing type or steam trawler which would not have to buy bait. There are hundreds of men along the Nova Scotia coast who catch herring and sell it to the Lunenburg fleet and others, and do a very profitable business. I was wondering if in your opinion the increased fleet would be composed of steam trawlers, which would not be of advantage to the herring fishermen, or if it would be composed of sailing vessels.

Mr. BRITTAİN. There is no doubt that the number of steam vessels will be largely increased. At the same time the sailing equipment which is now at Lunenburg and other places—there is no reason why it should not be kept in operation for 12 months. It is harder on your vessels, you say. We have our vessels out fresh fishing all the season. We change the sails to suit the weather. We will get our own skippers and crews if you will charter the vessels.

(Conference adjourned to 10.30 Wednesday.)

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FEBRUARY 6, 1918.

The conference resumed at 10.30 a. m.

Chief Justice HAZEN. I am very glad to see that we have with us the president of the Gloucester Board of Trade, Mr. Davis, whom we had the pleasure of meeting in Gloucester and who paid us a great deal of courtesy when we were in that city. The elements prevented Mr. Davis getting here yesterday. I might say to Mr. Davis that if there is anything he would like to ask any of the gentlemen who come



before us this morning we will be very glad if he will avail himself of the opportunity.

**STATEMENT BY MR. H. B. SHORT, MARITIME FISH CORPORATION, DIGBY, N. S., MANAGER.**

By Chief Justice HAZEN:

Q. You are manager of the Maritime Fish Corporation of Digby, are you not?—A. Yes, sir.

Q. Is Digby the head office?—A. The head office is in Montreal.

Q. Where are your branches?—A. At Canso and Digby.

Q. What sort of business do you carry on, Mr. Short?—A. All branches practically of the fish business—fresh, smoked, salted fish for our Canadian trade and export.

Q. You own a fleet of boats yourself?—A. Yes, sir; we own vessels and operate them ourselves, and also a steam vessel.

Q. How many vessels?—A. Just at the present two.

Q. Are those 100-ton schooners?—A. Yes; about 100-ton schooners.

Q. And in addition to that you own a steam trawler?—A. Yes; the *Raindor*.

Q. How long have you had these schooners?—A. Seven years.

Q. Were they new at the time you got them?—A. We had them built.

Q. Whereabouts?—A. At Shelburne.

Q. Do you know what price is paid to-day in Nova Scotia for 100-ton schooners with the spars?—A. Of course prices are much higher in shipping than ever before. Schooners such as these of ours would cost to-day in the neighborhood of \$18,000 to \$20,000. I think probably our best schooner to-day would cost us \$20,000—a 100-ton schooner.

Q. Does that include the hull and the spars?—A. That would include the hull, spars, and rigging, but not her outfitting—dories and fishing gear—but including her sails.

Q. We had it stated to us yesterday that there was a schooner under construction now in Nova Scotia—under contract—at a price of \$22,000 that was for the hull and spars—that the contract was let now.—A. I would not be surprised at that at all.

Q. We also have the statement made by Mr. Smith that the vessels built in Gloucester at the present time cost somewhat less than that. Do you know what is the life of one of those Nova Scotia schooners?—A. After 10 years they are beginning to show a great deal of weakness. They do not compare in so far as the life is concerned with an American schooner. Our material is not as good quality. There is a great deal of oak in the construction of an American vessel.

Q. It would be true to say, would it not, that the American schooner would be a cheaper schooner in the long run, if it cost the same amount as a Canadian schooner?—A. Yes; very much so under present conditions. The life of an American schooner at 20 years of age is equally as good as our schooners perhaps at 10.

Q. At the present time, according to the evidence submitted to us yesterday, the Canadian schooner costs quite as much as the American schooner?—A. Quite as much.

Q. Of your own knowledge do you know that to be the case?—A. I can cite you a case of a schooner we now have under charter, built in Lunenburg County two years ago. This schooner is 100 tons. When we were negotiating for a charter for her last autumn a Newfoundland party was negotiating for the purchase of this vessel. They offered the owner \$18,000 for this schooner of 100 tons, 2 years old this spring. He had made inquiries and found he could not get a schooner ready for spring fishing and the cost would be about \$22,000, so he concluded that he had better charter the vessel to us rather than sell her for \$18,000. That I know for an actual fact. We chartered the vessel and are operating her now.

Q. What would have to be paid in the United States for a fishing schooner of 100 tons, built in the way in which they are built in the United States?—A. I am not familiar with that. I presume they could build a schooner for around from twenty to twenty-five thousand dollars at least, and it would be a very much better vessel. I do not know what the figures would be. I am interested in a small three-masted vessel we are building now for coasting—a vessel of about 350 tons. We assume that she is going to cost us from forty to forty-five thousand dollars.

Q. In your opinion the American fisherman in competition with the Canadian fisherman would not be handicapped in consequence of the extra price he would have to pay for a vessel in the United States?—A. I can not see how he would, sir, at all.

Q. Are you familiar with the system of paying the officers and men on board the sailing vessels?—Yes, sir.

Q. Will you tell us what wages they receive?—A. Our sailing vessels are not under wages at all. They are on shares. The same system, I think, prevails in the United States. I do not think their crews are hired by the month—practically all fish on shares. The usual custom with us is the vessel gets one-fifth of the stock and the fish, and out of the vessel's share of the fish we pay the captain his commission. The commission is 5 per cent usually. Then the captain gets a regular share with the crew in addition to his 5 per cent. We have a trip in now of one of our schooners—just landing now—a trip of about \$4,000. The captain will get \$200 on that trip. In addition to that he will have his share—an average share with the crew.

Q. How long would that trip take?—A. The vessel has been away since the 6th of January. These fish were all caught in two days last week. That is one of the ups and downs of the fishing business.

Q. What do the crew get out of that—what would that amount to in dollars and cents in an average month?—A. Probably the crew on a trip like this will average \$100 or \$110 to a man.

Q. And how many months in the year do you fish?—A. We fish the 12 months

Q. Can you tell us how the earnings of the men on these fishing schooners sailing out of Canadian ports compare with the earnings of the seamen and captain on board fishing schooners sailing out, say from Gloucester?—A. In many cases it depends a great deal upon the skipper—whether he is a practical man or not. With a good skipper the crews will make just as good money as out of Gloucester.

Q. It depends upon the skipper I suppose—his knowledge of where to go and get fish and all that?—A. Yes; his knowledge of the business, and his push and ambition. The same thing applies with a fishing skipper as with a coasting skipper, taking advantage of the weather and all that.

Q. But you feel safe in saying that under similar conditions as to skippers the crew on board a vessel sailing out of Digby or Canso will make just as good pay as the crews on board a vessel sailing from Gloucester or any New England port?—A. Just as good. We have two skippers with us who have sailed out of both places. The skipper on the vessel I speak of has sailed out of Boston for several years. He tells me he makes just as good money at home as he ever did in the United States. There is no reason why they should not; if our vessels work as hard as theirs they make as much money.

Q. You think they work harder than you?—A. Sure, I do.

Q. Calling attention to your trawler. Will you give us a statement of how the captain and men are paid on the trawler?—A. Those men are paid on a commission basis.

Q. Are they paid entirely on a commission basis?—A. Practically so—the crews, of course, get a small wage.

Q. We are told in the United States that the officers on board the trawlers in Canada were better paid than officers on board trawlers in the United States, but that in the United States the men received to commence with \$40 a month, and then they receive divided money among them of \$7 a thousand on the catch; and that in Canada they started with \$30 a month and received \$7 divided among them on the catch; so that practically the men on the Canadian trawlers received \$10 a month less than the men on the American trawlers, presuming the catch of fish was the same. Do you know whether that is a correct statement of fact or not, as applies to Canadian trawlers?—A. No; I don't. I haven't anything to do with the managing of our trawler at Canso. It is entirely handled from our branch there, but I do know that the men are perfectly satisfied, and I have always noted that the captains of the trawlers fishing out of Nova Scotia make better money than out of the United States.

Q. That was the statement made to us—that the captains on our trawlers got more money but that the men did not get quite as much—started with \$10 a month less. In each case there was a bonus of \$7 a thousand pounds of catch of fish divided among the men?—A. I have understood that.

Q. Do you pay a bonus?—A. Oh, yes, we pay a commission. On the trawler the crew get so much per thousand.

Q. How much per thousand?—A. I could not tell you.

Q. (To Mr. Brittain.) Do you know how much per thousand?—A. Our crews on the Canadian trawlers are worked on a different lay. They get their remuneration on the net stock. On the American coast they get it on the gross stock. Our men earn more money than the men on the American steam trawlers—whether they earn it out of the commissions or the money—it is largely through the larger quantities of fish they catch in our bottoms in comparison with the American.

Q. Have you any opportunity of comparing the sums of money received by American trawlers with that received by the men on



your trawlers?—A. No, sir. We had an American trawler working for us last summer. An order in council allowing American trawlers to land in Nova Scotia was passed. This was on account of the shortage of supplies in the British market. Their captain on the boat working for us was not a very highly paid official at all. I think he had \$50 a month and a bonus—it amounted to about \$200 a month. If our captains can not make nearly double that they are not satisfied.

Q. Do you know what supplies are furnished to the schooners and to the trawler?—A. Yes, sir; the very best we can purchase. Our fishermen are fastidious in their taste—they want the very best of everything. They won't buy a fore quarter of beef—they must have the hind quarter. They have got to have a cook who can put up the very best meal possible to serve. They won't have an ordinary man these days.

Q. Mr. Short, where do you buy your supplies—do you buy them in Canada?—A. Practically so—except our fishing gear.

Q. Do you buy beef in the United States?—A. Beef and pork are bought there.

Q. Beef and pork I suppose are staple articles on board?—A. Not so much the beef as pork, because they use fresh beef.

Q. And your men get the very best?—A. The very best that the markets afford of everything.

Q. Can you tell us how the prices that are paid for these articles would compare with prices paid for similar articles in the United States?—A. I do not think there is very much difference—they may perhaps pay a little more in the United States for fresh beef—their groceries are certainly cheaper than with us—their fishing gear ought to be cheaper because we have to import it all from the United States.

Q. Does that include your nets and hooks?—A. We do not use nets, but the nets are all made in the United States. That includes the lines. The hooks are made in Scotland, but they are the same hooks that the American fishermen use.

Q. With regard to your dories on your fishing schooners—where do you get them?—A. In Shelburne.

Q. Where are the dories for the American fishermen made?—A. A great many are made in Shelburne—a great many of them I presume are made in the United States.

Q. Having regard to the first cost of your ship, to the wages that are paid, to the price paid for supplies and the nature of the supplies, and to the equipment, do you think that the American fishing schooner owner is at any disadvantage in consequence of a larger price which he has to pay in doing business in competition with the Canadian fishermen?—A. I do not think so at all. The day was perhaps when he was, but not in these times—not within the last 10 years. We have been building the very best vessels the country could produce, designed by American designers and fitted up in the very best manner possible, during the last 10 years.

Q. It would be true that—taking the year 1913—just previous to the outbreak of war—it would be true in that year, would it, that the Canadians were paying practically as much for their vessels, their supplies, and wages as were being paid in the ports of the United States?—A. Yes, sir.

Q. There would not, in your opinion, be any danger of the Canadian fishermen, if there was an arrangement such as we have been talking about—no great probability that the Canadian fishermen would capture the markets because they would be able to produce fish so much cheaper than the American fishermen?—A. I can not see it at all. I do not see why the Americans can not catch fish just as cheap as we can—in fact, they do.

Q. Where do you sell your catch of fish—in what markets at present?—A. The bulk of our fresh fish goes to our home markets—we ship no fresh fish whatever to the United States, and our salt fish practically goes to South America—the West Indies and South America—and the last few years we have been shipping a good deal to Europe.

Q. That is your salt fish you have been shipping to Europe?—A. Yes.

Q. Are you shipping frozen fish to Great Britain now?—A. Some, yes.

Q. In your opinion is that a trade which is likely to continue after the war?—A. I think so—I feel quite confident that it will. I believe that our fish have a very good reputation over there, proving that frozen fish can be exported to England and arrive in good condition, and I see no reason why we should not continue that market after the war is over.

Q. You think, therefore, that you are overcoming the prejudice that I am told existed in England against frozen fish?—A. I believe we are to a large extent.

Q. That trade, you think, will continue after the war?—A. Yes.

Q. Taking the Canadian market—to what parts of Canada do you send your fresh fish?—A. Our fresh fish, of course, goes mostly to Quebec and Ontario, but our smoked fish goes all over Canada—to the coast.

Q. How far west do you send fresh fish?—A. We have sent fresh fish to Winnipeg—some to Winnipeg—but as a rule the bulk of our fresh fish goes to Montreal and Toronto.

Q. You make regular shipments to those markets?—A. Yes, sir.

Q. Have you found the demand from those markets increasing of late years?—A. Very largely increased—especially since the war and especially in the last year, since the Government started the advertising propaganda and inducing the people to eat more fish—the demand has increased very rapidly.

Q. Are you able at the present time to produce all the fish that the market demands?—A. We would if weather conditions would permit, but we have not by any manner of means this winter—we have not produced anything like what the market demands.

Q. Do you find it an advantage to use a trawler—that is, so far as obtaining a regular supply of fish is concerned?—A. Yes, sir. There is not any question that is the coming method of catching fish.

Q. Because you catch the fish with more certainty and have them at your ports more regularly?—A. You can depend on the arrival of the vessels more accurately.

Q. If you are able to catch more fish than you are doing now, will there be any difficulty in finding a market in Canada?—A. No. I don't think so. I think the market is here for us for a very much

larger amount than is being used now. We certainly would have no difficulty in finding a market in South America and the West Indies—that market will take unlimited quantities.

Q. How about the fresh-fish market in the United States?—A. I have never considered that at all because we have done so little business with the United States in fresh fish—I have never given it any consideration.

Q. What is the reason you have not taken advantage of the free admission of fish into the American markets?—A. As a rule the prices would not allow us to. We have bought fish in the United States on several occasions. Years ago I bought 4 carloads in Boston and brought them down to Nova Scotia and paid the duty.

Q. Is the price of fish in the Canadian market higher than in the United States?—A. Very often.

Q. Very often this is a much better market than the United States?—A. Very often. In the particular case that I have referred to this is perhaps nine years ago. I bought four carloads of fish on T Wharf, in Boston—fresh haddock—at \$1.25 a hundred pounds. The duty on them was a cent a pound. We got a special freight rate of 17 cents. We had a schooner landing at the same time, and the fish from that cost us \$2.75 as compared with \$1.25, the price paid in Boston. That was nine years ago. Conditions are different now.

Q. As far your business is concerned, the admission of fish free into the United States market has not been any great benefit?—A. No, sir. We of course have sold some salt fish in the United States, but we never have sold fresh fish.

Q. Do you do a regular business selling salt fish in the United States?—A. Not a regular business—we have sold none there this year.

Q. When you sell them, how do you send them there?—A. We very often send them in bulk by schooner, or by Yarmouth day steamer.

Q. What would the salt fish be—finnan haddie?—A. Salt cod—pickled cod.

Q. How does it happen you have sold none there this year?—A. We get a better market for it elsewhere.

Q. Whereabouts?—A. In England.

Q. Are you of opinion that the Canadian market for fish will go on developing and increasing?—A. I certainly think so. We have certainly got to substitute fish for some other foods if we are going to exist at all.

Q. You mean that we can not hope for a large supply of meat?—A. We must substitute fish, and our people are just beginning to realize that fish is a good article of diet, and in my opinion it is going to become a staple article of food just as much as meat is to-day.

Q. Has your attention been called to the conditions under which Canadian fishing vessels can take their goods into the markets of the United States?—A. As I understand it, our Canadian vessels can not take their catches into American markets now and land them and clear for the grounds. They must be treated as coasters.

Q. They have to bring their catch into a Canadian port and either register as a merchant vessel or transfer them—and when in an American port they can not clear for the fishing grounds. If our



people wanted to sell fish in the American market, would those conditions be an impediment to their doing so?—A. To a certain extent.

Q. You know of the *modus vivendi* licenses?—A. Yes.

Q. In your opinion is the privilege granted to the American fishermen under those licenses to come into our ports of much advantage to them?—A. Undoubtedly, sir, it is. The very fact of their taking those licenses out year after year points to the fact that they must be a benefit to them.

Q. It has been suggested that in order to get clear of the more or less irritation that always exists in regard to the fishermen, and having regard to the times in which we live, and the fact that we are fighting together as allies in the present war—that our sons are shedding their blood in the same cause; that it is most desirable that some settlement should be arrived at that will prevent this irritation in the future, and will give greater stability and permanency to the rights of American fishermen in our ports than the annual privilege given in the *modus vivendi* licenses, and it has been suggested that any such arrangement ought to be based on the principle of mutual advantage, and having that principle in mind it would be a fair settlement of the question if we permitted the American fishermen to come into our ports as under the *modus vivendi* licenses, without charging them anything beyond the merest nominal amount for the privilege, and that in exchange they should permit our fishing vessels taking fish into the United States to go directly from the fishing grounds to the United States markets and to clear directly from those ports again for the fishing grounds, and in addition that they should have legislation enacted that would prevent the American fishermen coming over with well smacks and getting lobsters outside of territorial waters at a time when there is a close season within the 3-mile limit. What would your view be as to an arrangement of that sort. Do you think that would be a fair arrangement of advantage to both?—A. Under present conditions I think we should try and settle this question which has been outstanding for many years. Personally, I have been opposed to any change in the *modus vivendi* licenses up to the present time, but conditions now are entirely different, and I think that we should both try and get together and settle these disputes that have been outstanding for so many years—it would be beneficial I think to both countries.

Q. You place it on that broad ground rather than on the ground that such a settlement would be of any special advantage to our Canadian fishermen?—A. Not any more than it would be to the American fishermen. Off our Nova Scotia coasts we claim we have the best fisheries in the world; a great many of the American vessels operate off our coasts and can not get along without using our ports. We can get along without using their markets. We have demonstrated the fact in the last 8 or 10 years. Our fisheries have kept increasing all the time, notwithstanding the fact that we were shut out from the American markets; we have demonstrated the fact that we can get along without them. Now that we are allies, I think that we should settle all these outstanding matters and get together on a fifty-fifty basis. I think that is the most equitable way to settle at the present time—to forget our past difficulties.

Q. You stated that up to the present time or until the present condition of affairs existed you had been opposed to any interference with the *modus vivendi* licenses. Do I understand you were opposed to extending that to vessels propelled by steam?—A. I was opposed to that.

Q. What was the reason for your being opposed to that?—A. We got nothing in return for granting it to them—our vessels received no consideration in their ports whatever.

Q. And you felt that before we made further extensions or granted further conditions that they should be prepared to make some modification in their navigation and coasting laws?—A. That is the point exactly.

Q. Mutual give and take?—A. If we gave them a certain advantage, we should receive certain advantages in return.

By Secretary REDFIELD:

Q. You said that they worked harder on the American vessels—as I remember you said "Sure they do"—tell us more about that, just what you mean by that?—A. I don't know that there is much explanation. A good many of these men I refer to are our fishermen from our own country too. They go and ship out of Gloucester and perhaps the skipper has a little more hustle than our men have—as I said it is all up to the skipper. Very often a man will work harder away from home.

Q. Do I understand you to mean something of this character. Let us suppose five vessels just alike sailing out of Gloucester, for an example—the same equipment and same crews—that those five vessels, according to the ability and energy and experience of the five skippers, may show different results: is that right?—A. Sure.

Q. That is the practice, is it not?—A. Yes.

Q. Then results which the vessels secure are not dependent upon the cost of the vessel at all, are they?—A. Oh no, not at all. A very inferior vessel often gets a very big catch.

Q. And the reverse is true?—A. Yes.

Q. Then those results are not dependent upon the earnings of the crew or the officers, are they?—A. How is that?

Q. The results that the vessel gets are not dependent upon the earnings of the crew or the officers?—A. The result, the vessel is dependent for her share upon the result of the catch.

Q. I want to get at what is the real factor in the production of the fish. I gather it is not the cost of the vessel, because a vessel that is cheaper may get larger production, or the reverse may be true—then the element in production is not the earnings of the officers and the crew, but those earnings come out of the production?—A. That is right.

Q. Therefore the business is one in which skill, experience, capacity, energy are the leading features: is that right?—A. To a very large extent. The same thing would apply in any other business. A man has got to put energy into it to make a success of it.

Q. Is it or is it not true that he has got to do it in a little different way? Isn't it the fact that seamanship, knowledge of the fishing grounds, of the habits of the fish, the ability to understand and to lead men—is it not so that these are the controlling factors in the fish industry?—A. Yes, sir.

Q. Then again, Mr. Short, is there anything else in the industry as important as those factors?—A. Is there anything as important as those factors; yes, the marketing of those fish.

Q. I am thinking for the moment of production. What I want to get at is whether it is or is not true that this business as it is now conducted is practically a business in which the two countries have a substantial, equal, and mutual interest—whether vessel A officered by Captain B has not as good a chance at the game as vessel C officered by Captain D—without regard to the port they go from or the flag they fly, because, after all, the production depends in the major part on brains and skill and experience and character?—A. Yes.

Q. You can see the bearing of this at once. If those are the controlling factors in the business, then matters like the cost of a vessel and equipment become immaterial factors relatively. Is it the fact that there are any other factors in the business which are as important as the factors of experience, seamanship, energy, character, and so on?—A. It seems to me that if we have all of those qualities there is no question about getting the catch—if we have weather conditions. You have got to have the grounds, of course, to go to to catch those fish.

Q. You have got to know where they are?—A. If you have the experience and ability you are going to find them.

Q. Suppose Captain A who has the characteristics for a successful fisherman, changes his vessel and goes over from a vessel which cost \$15,000 to one which cost \$25,000, and suppose Capt. B goes back from a vessel costing \$25,000 to one costing \$15,000 then the more expensive vessel with the abler skipper would be likely, would it not, to earn in proportion more than the cheaper vessel with the poorer skipper?—A. Certainly he should.

Q. In other words the elements of character, ability, brains, energy, knowledge of the fishing grounds, ability to lead men—those are the controlling factors in the business?—A. Yes, sir.

Q. (To Mr. Brittain.) Do you agree, Mr. Brittain?—A. Absolutely sir.

Q. (To Mr. Wilson.) What do you think?—A. I think that is perfectly correct—the only other factor I could think of would be the proximity.

Q. (To Mr. Gardner.) Do you agree, Mr. Gardner?—A. I do, indeed. We have three or four very skilled men in our fleet and it is no matter what vessel they take they can always get a very successful catch—it is in the ability of the men.

Chief Justice HAZEN. The personal element enters very largely into its success.

By Secretary REDFIELD:

Q. And the personal element is the predominating element. Isn't it so much so that as a matter of fact in your business there are certain men you would like to get and certain men you do not want?—A. (By Mr. Short): Sure as you're born—there are certain men you would like to get clear of.

Q. So that the personal factor is after all the controlling factor?—A. That is right.

Q. Isn't that true to this extent—that if you had the best fleet in the world built at the lowest cost and could not get the men to run



it right it would be a failure?—A. That is just it exactly. I used to be interested personally in a few fishing vessels before I went in with the Maritime Fish Corporation, and I always made it a point never to put a dollar in a fishing vessel unless the skipper owned a share in it.

Q. (To Capt. Benjamin A. Smith). I want to ask whether you agree with that proposition?—A. I do so. It all depends on the captain and the crew—the organization.

By Mr. SWEET:

Q. You said something Mr. Short about the increase of the tendency on the part of the people in this country to eat fish—have you any doubt in your own mind as to the permanency of the taste for fish that the people are acquiring during this war period?—A. No, sir—I believe it is purely a matter of education. Once they begin I believe they will continue right through—they will prefer it.

Q. So that you feel in the future there is to be a very large and comparatively steady market, do you, for fish in this country?—A. There is sure to be sir—I have every confidence there will be.

Q. You have also stated that you were somewhat opposed to granting privileges to United States vessels unless certain concessions were made on the part of the United States. Of course you have already expressed your opinion that it would be wise to make the arrangement that is being discussed here and that may result from this conference. You base that, if I understand correctly, upon the idea that it would be in the first place equitable and just as between the two Nations?—A. Yes.

Q. In other words that it would be, as you express it, on the fifty-fifty basis—that eliminates the objections that you have had before on the ground that you did not wish to make any concessions without receiving something in return?—A. That is right.

Q. Assuming that the result of this conference should be what we hope—by making mutual concessions—would that result in an increase in the supply of fish for the benefit of both countries and meet the requirements of the future better than if this arrangement were not made?—A. It will have some effect no doubt. I question very much whether many of our vessels will go to the United States with their catch, because as I say our market is usually as good as theirs and it would not pay us to go over there. There might be perhaps a few cargoes of salt fish, and perhaps in the Lunenburg fleet—I would suppose that in the fall of the year after their last catch they might take advantage of it and go over there to land them, but so far as our vessels are concerned and our port in Nova Scotia, I do not think that very many of our vessels would take advantage of running into the United States because prices have been practically as good with us as over there and we are very much nearer home.

Q. Suppose a United States vessel operated by auxiliary power or steam meeting with some untoward conditions as regards weather, or for some reason or other wished to make a Canadian port and dispose of a partial catch, in order to return immediately to the fishing grounds, or get supplies, or perhaps ship some additional men in its crew, or for any purpose of that kind, where it would be obliged to go back to an American port in order to do these things—

if it could come into a Canadian port and then return immediately to the grounds it would save considerable time?—A. Yes.

Q. That time could be useful?—A. You might lose a full trip of fishing.

Q. Would not that make considerable difference in the fish supply—if you multiply that by quite a good many, as might be the case, it would make some difference, would it not?—A. Yes; but we have not been producing fish enough for the consumption—the demand there has been. There is no trouble to dispose of the fish at all.

Q. What I am getting at is that American fishermen could be engaged more of the time in fishing under the plan that we propose than they can to-day?—A. Yes.

Q. And spend less time in going back and forth to American ports; in other words, less waste of time?—A. Yes, sir.

Q. And if Canadian fishermen see fit to avail themselves of the privilege granted under this proposed arrangement of clearing directly from American ports to the fishing grounds and then returning to American ports with their catch, they would be avoiding the waste of time of going around the two sides of the triangle?—A. They don't go at all—they are prohibited.

Q. It would mean the catching of more fish by Americans and Canadians?—A. I certainly think it would. Any obstacles you can take away are bound to have a tendency to greater production.

Q. In view of the expanding market do you regard that as a very considerable advantage and a good reason for making the proposed arrangement?—A. I do; yes, sir. And then again I think that we should under the present conditions do away with all these differences between the two countries. I think more of it from that standpoint than from a business standpoint, because I do not see where this thing is going to be a great advantage to us. There are very few fresh fish go over. Some localities, such as Lakeport and Liverpool and Yarmouth, a few months in the wintertime a few hundred thousand pounds of fresh fish go over, but from other sections of Nova Scotia practically none. It is of no advantage to us in that respect. It would be a little advantage in the salt-fish game, but buyers from the United States come over to our country at the present time and buy up all the salt cod and other salt fish they can get, so that from our standpoint I do not see that it is going to be of any great advantage to us, but as I said before I think this is a time when we should get together and forget little differences and let us make some arrangement that will be agreeable to both countries. We are not afraid of competing with the United States in any part of the world.

Q. Whereas our attitude has been somewhat that of trying to prevent the other getting the advantage?—A. There has been a little feeling.

Q. That feeling has entirely gone. We are not only allies in the war, but we are just as much friends and as closely allied as Maine and Massachusetts, for that matter, and there is no more reason why there should be any friction or any divergence or clashing of interest between Canada and the United States than between Maine and Massachusetts—can you see any?—A. None whatever. We have

the kindest feelings in every way, shape, and manner for the people across the border.

Q. And the adoption of the proposed plan would be in the direction of benefiting to some extent both countries?—A. No doubt of it.

Q. Mr. Davis, who is here, expressed the opinion at Gloucester that this arrangement would be a good one, in his judgment, during the war. I want to ask if it is your opinion that it should be limited to that period?—A. It certainly should be made permanent, if we are going to make any arrangement whatever. We would have to consider these things again if it is not made permanent.

By Mr. FRED L. DAVIS, of Gloucester:

Q. Tell me the name of the schooner that you have?—A. *Dorothy M. Smart*.

Q. How many dories has she?—A. Ten.

Q. Those dories, I suppose, were purchased in Nova Scotia for about \$15?—A. I would say to-day, \$22.

Q. They have increased in value in a year?—A. The time was when we could buy them for \$13 at Shelburne and freight them to Digby.

Q. How much would it cost to outfit this vessel, as far as eatables are concerned, on this trip?—A. You would have pretty good idea about that—the vessel has been gone since the 6th of January. She has had to provision up twice in that time. Probably her grub bill would be \$600 or \$700.

Q. Have you any idea how much what the crew eat would cost?—A. At least \$500. Very often in the last end of it they are not so enthusiastic over their food as when they first start out—in other words, they cut their garments according to the cloth.

Q. You claim this vessel went on the 6th?—A. Yes.

Q. You pay the captain 5 per cent?—A. Of the gross stock—for instance, if her gross stock is \$4,000, the captain gets \$200.

Chief Justice HAZEN:

Q. By the stock you mean the fish?—A. Yes, sir.

Mr. DAVIS:

Q. Didn't you know that at Gloucester they do not pay as much?—A. I know that your vessels have got a great deal better lay so far as the vessel owners are concerned. Your vessels take a great deal more than ours do—the owners get it.

Q. How do you run that gear?—A. Either the captain owns the gear or the fishermen own it. If the captain owns it he charges 10 per cent to the net cash out of the stock.

Q. He takes 10 per cent?—A. If he owns the gear. Very often each dory owns its own gear. The vessel does not own its gear with us.

Q. Are you aware that in Gloucester she has to own the gear—she does not get anything for it?—A. Previous to last spring she got a good price for it. That is what you had your big strike over last spring.

Q. I am only speaking of that to show that we are laboring under a disadvantage—we have to pay for lost gear?—A. After a certain time after the gear is paid for the crew pays for lost gear.



Q. Would this agreement produce any more fish on account of the agreement?—A. This *modus vivendi*?

Q. Would the Canadians produce any more fish?—A. No; I don't think so.

Q. As I understand this matter the idea was to produce more fish—you do not think you would?—A. No; I don't think it is going to be any wonderful thing for Canada at all.

Q. You mean on the production point?—A. No; no great thing.

By Secretary REDFIELD:

Q. The advantage in the way of producing more fish—as I understand your view the American vessel might produce more?—A. Yes; I believe in the winter season we would find American vessels landing on our shores. For instance there was a vessel landed the other day at Liverpool with 30,000—and wanted us to make them an offer for them. We did so but we didn't get it—some other party bid against us—she landed her fish there and sold them there.

Q. If a Canadian vessel in the fresh fish trade could go immediately from the fishing grounds to Boston or Gloucester and immediately back again, she might catch more fish?—A. She might if she was going to land her fish there.

Q. You know it is true that many million pounds of fresh fish are sent into the United States from Canada every year?—A. Yes, sir; no doubt about that—not from our section of the country—not vessel fish, Mr. Redfield—those are fish caught by our boat fishermen.

Mr. BRITAIN. I feel sure that if an appropriation were passed allowing Mr. Short to build the proper equipment, he would very soon produce five times the quantity of fish.

By Secretary REDFIELD:

Q. Do you stand for that, Mr. Short?—A. There is no doubt that we could produce much more—we are going to produce more fish—we are not going to let the country suffer for fish.

Mr. DAVIS:

Q. You were speaking about these fish that were sold—have you any idea what they sold them for?—A. Yes, sir; I know exactly.

Q. What did they get?—A. They got 6 cents a pound right straight through for everything they had—that consisted of herring, cod, cusk, and hake.

Q. Some people that I know sold a cargo at Halifax for which they only got 3½ cents.—A. I think that is a mistake, Mr. Davis. The boat fishermen have been getting 6 cents a pound for everything landed.

Q. I don't think there is any mistake about the proposition—I helped pay the deficit.—A. When was this?

Q. Recently—about three weeks ago.

Mr. FOUND. It depends upon what condition the fish were in.

Mr. SHORT. They might have been split.

Mr. DAVIS. I think they ate them.

Mr. SHORT. Perhaps they were not fit to be used in a fresh condition. If they were used as split fish for salting then that was all they were worth.

Chief Justice HAZEN :

Q. I wanted to ask you about the lobster industry, Mr. Shori. It has been represented to us, and of course statistics show it, that the lobster industry is a waning industry.—A. No question about that.

Q. It has been suggested that if the lobster industry is going to be preserved for the future that some very drastic action will have to be taken. It has been suggested to this commission that it would be desirable that we should have a size limit on the lobster similar to the size limit in Massachusetts—that the limit should be the same. At the present time 9 inches is admitted to Boston. It was suggested to us by a gentleman in the United States that that limit was too small—that the limit ought to be  $10\frac{1}{2}$  inches and if that limit was placed in the United States and if we had a similar law for that part of Nova Scotia west of Halifax and for the Bay of Fundy districts, the counties of St. John and Charlotte, it would do a great deal to restore the industry. What do you think about the lobster industry, and what do you believe ought to be done to preserve and restore it?—A. There is no question that unless some drastic measures are taken, and taken very quickly, that the lobster industry is going to be exterminated completely. This year so far the catch is almost a failure, and my idea is that the only way that we are going to conserve the lobster is to have a size limit and see that the law in connection with it is rigidly enforced. Otherwise, as I say, the fishery will be exterminated, because at the present time they are catching and canning everything that has an eye in it. I have seen lobsters not more than 4 inches that they were using in the canneries. If destruction like that goes on it is going to exterminate the industry.

Q. Under existing conditions the people along the shore to the west of Halifax can send their lobsters into the American market by way of Yarmouth?—A. At this season of the year there is a boat twice a week and usually in the summer, until last summer, there was a boat every day.

Q. Suppose that all canning was abolished in that district, say from Canso or Halifax westward—no further licenses granted and a size limit of not less than 9 or  $10\frac{1}{2}$  inches was made compulsory—what would be the effect in your opinion upon the men who catch lobsters, in the course of a few years?—A. The men who catch them would be very much better off—no question about it—because the small lobsters would have a chance to grow.

Q. You would favor the abolition of canning along that coast?—A. I certainly would, sir, and I believe that is the only remedy that we have got to save our lobster industry. So long as they can everything that is caught it is only a question of a few years before the lobster fishery will be a thing of the past.

Q. Such an arrangement as outlined would be in the interest of the men catching the lobsters because the canneries will have nothing to can?—A. It would be the most popular legislation that has ever been enacted. There will be a great deal of opposition from the canners, but the amount of investment in the canneries to-day is very very small indeed.

Q. Has your attention been directed at all to the shad fishing in the Bay of Fundy?—A. I know that it is practically a thing of the past. The Bay of Fundy used to produce some pretty good catches of shad, but the last few years they have been a failure.

Q. Would you favor the passage of a law or regulation that would absolutely prohibit the catching of shad for three or four years?—A. I believe that is the only way you are going to save it at all by perhaps three years of close season. That is the only remedy there is.

Q. Have you caught shad ever in the vicinity of Digby?—A. We used to catch them in the Annapolis River.

Q. Are there any left there?—A. We do not see a shad there at all.

By Secretary REDFIELD:

Q. (To Capt. Benjamin A. Smith.) Do you buy any dories in Shelburne?—A. Yes, sir.

Q. Why do you buy them there?—A. They are cheaper—we save money. The fishermen who go hand lining for us belong around Shelburne County and they prefer the Shelburne dory to the 13-foot dory we used to use at home—in addition they are cheaper.

Q. So that for the vessels that are fishing for you operating under the American flag, you buy the Canadian-made dory?—A. I should say the last five years that 60 or 70 per cent were bought in Shelburne. I think we have an order there for about 200 this coming season. I would like to say one word with regard to increased production. I believe that if this arrangement is brought about—I have been asked several times for two or three of our vessels which have small auxiliaries and which are hauled up in Gloucester after the season is over; if they could take those vessels and fish out of here I am sure that it would add to the production of fish—they could be landed at Lakeport or Yarmouth, because it is a fact—Mr. Davis will agree with me that we have a certain fleet that is hauled up about four or five months.

By Dr. SMITH:

Q. The mackerel seining fleet?—A. Yes, sir.

By Secretary REDFIELD:

Q. How many are there?—A. I would say 30.

Q. Is this a correct statement—that by reason of these existing regulations or by reason of the absence of an international arrangement, at this time when the countries both need food, equipment that is capable of producing food to the extent of 30 vessels is idle for a number of months in the year?—A. Yes, sir; that is the case with us at Gloucester.

By Dr. SMITH:

Q. Why not use them out of Gloucester during the time when the mackerel are in on your shores?—A. We can not get enough men to go in them. The men do not want to come to Gloucester and go off shore fishing, and by having a little auxiliary power they could be operated on this coast—at home. They are in every night and go out about 2 or 3 o'clock in the morning. Our Portuguese fleet goes out at 2 or 3 o'clock in the morning—the next afternoon they are in Boston with five, ten, or fifteen thousand pounds of fish—we call them our shore fleet.



Q. Would you expect such a fleet if it came to the Nova Scotia coast to sell its catch in the Nova Scotia ports?—A. Naturally I think they would.

Q. Would that be the logical thing to do rather than attempt to sell in Boston or Gloucester after transshipment?—A. I had in mind certain captains who wanted to take one of our vessels and fish. They said they would like to take it down home.

Q. Is it a fact that these vessels which are idle from November to March are the finest vessels in the Gloucester fleet?—A. No, not necessarily. What I referred to were vessels equipped with auxiliary engines.

Q. How big are they?—A. The *Pythian* is about 55 or 60 tons—the *H. B. Thomas* 75 or 80 tons.

Mr. SHORT. Their catches would be transported to Boston?

Mr. SMITH. Yes.

Mr. HAZEN. You say these vessels would operate from Nova Scotia ports and sell their catch where they could to the best advantage—either in Canadian markets or transfer it to merchant vessels or send it by train to New England?

Mr. SMITH. The idea would be you could take it and operate it to suit yourself.

Mr. REDFIELD. That is precisely what you are doing in the Gulf of Mexico States. Men who are otherwise idle would likewise be employed as well as the capital invested in the vessels. It has a threefold advantage—the men would get greater employment, the vessel would have greater earning power per annum, and the communities, one or both, would get a greater supply of food.

#### STATEMENT BY MR. THOMAS FERGUSON, CHAIRMAN CANADIAN BOARD OF STEAMSHIPS.

By Chief Justice HAZEN:

Q. You are the chairman of the Steamship Inspection Board of the Dominion of Canada?—A. Yes.

Q. An official of the Marine and Fisheries Department?—A. Yes.

Q. We were told in the United States that there were difficulties in the way of having vessels transferred from an American to a Canadian register because of the strict laws in Canada regarding the inspection of boilers and machinery—can you throw any light on the subject?—A. Yes, sir; I think I can. In the first place, our steel has got to be tested by Lloyd's or some disinterested individual before it enters into the construction of the boilers. The United States doesn't demand that. They take the certificate of a member of the steel producing company, who is an interested party. We can not accept that.

Q. You are quite sure of that statement?—A. I am pretty sure of that statement. They take the steel maker's stamp that it is 60,000 pounds. The test is made by one of the firm and not by Lloyd's or a proper man as we demand. Consequently unless we can get a certificate that the steel has been tested by a certificated man we will not give it 60,000 pounds—unless we know it is 60,000 pounds.

Q. What do you do—refuse to accept the boiler at all or with a reduced pressure?—A. A reduced pressure.

Q. How much reduction do you allow?—A. I have known as high as 35 pounds.

Q. Of being reduced down to or by?—A. Down by. A 175-pound boiler would down in some cases to 120.

Q. I understand from you that if a vessel seeking transfer to the Canadian register from the register of the United States has a boiler which has been manufactured in the United States, you will not give that vessel the same boiler pressure that is allowed in the United States, because the steel of which the boiler is made has not been inspected in the way you think it necessary?—A. If it has been tested as steel by an independent surveyor we will accept it.

Q. How are they tested there?—A. They have, as I say, the official man in the steel works who stamps them.

Q. You won't accept his stamp?—A. No, sir.

Q. How do you calculate the amount of reduction you are going to impose upon them?—A. It is laid out for us in our regulations. We have got to regard it as iron if it is not steel up to that.

Q. Do you allow those boilers to continue?—A. Yes, sir.

Q. At the reduced pressure that you think is right?—A. I have one here now—

Q. What has occurred, Mr. Ferguson, to make you think that such a rule is necessary?—A. It has been there all along.

Q. What is the reason of it. Did accidents occur in consequence of boilers of this sort coming in and your accepting them at the American standard?—A. No, sir; but if we admitted that boiler in that state we admit a boiler that we would not accept from our own Canadian manufacturers—the standard is higher.

(Reference is made to a tracing headed S. S. *Saxona*, which is marked to pass United States Government requirements for a working pressure of 170 pounds per square inch.)

Q. How long has that been the law in Canada, Mr. Ferguson?—A. Since 1884.

Q. It is, then, a matter of fact that it is more difficult for an American steam vessel to get entered on the Canadian register than it would be for a Canadian steam vessel to transfer its registry to the United States?—A. As far as boiler is concerned it would be.

Q. Do you think it is better to maintain that standard in Canada—I mean for the public safety?—A. So far as the steel test is concerned; certainly.

Q. You do not think the steel test in the United States is sufficient?—A. They could easily get the other test.

Q. As a result of the test in the United States, which you say is not as efficient a test as ours, have there been many accidents in the United States, boiler explosions?—A. I don't mean to say that—all the boiler plate is the same—the maker's stamp is accepted.

Q. As a result of that have there been an undue number of disasters caused by explosions of boilers as compared with similar disasters in Canada?—A. They have some, but I really never paid much attention to that.

Q. This standard is adopted for the safety of the public?—A. Yes; and we have adopted the proper rules as near as possible of Great Britain.

Q. Are they their rules you have adopted?—A. Yes, sir; practically their rules.

Q. They are exacting this higher standard than the United States?—A. They always have.

Q. The question is whether such a high standard is desirable, whether in the United States they have had an undue proportion of accidents?—A. I have not paid much attention to that.

Q. If the standard of the United States is sufficient to provide for the public safety, is there any need of having a higher standard?—A. We follow the board of trade, which is safe.

Q. You won't answer my question. If the standard that is adopted in the United States is sufficient to provide for the public safety, what need is there of having any higher standard?—A. I don't think it is sufficient.

Q. What evidence have you to lead you to conclude that the standard is not sufficient. Is your opinion formed on theory or on practical results that have been obtained in the United States?—A. If you would allow me to show you this print here [indicating the drawing to which reference has been made]—we demand nuts on the inside of these stays here [indicating]. It is under consideration—we would require the maker, if he wanted to get the pressure that he is asking, to put new stays with nuts.

Q. Do you say that the matter of making some changes is under consideration?—A. We take in boilers every year from the United States—it has not been open to inspection under construction.

Q. Your inspectors have not had the opportunity of examining it while under construction?—A. Yes.

Q. Do you think it is necessary for the safety of the public to maintain these regulations?—A. I certainly do.

Q. And you think the public would not be safe with the regulations and standard they have in the United States?—A. There is not very much difference—there has been more talk made about this boiler business than is warranted, perhaps.

Q. We had this brought before us by the inspector general at Washington and we wanted to get to the bottom of it. It has never been suggested to you that this has been maintained as a protection to the boiler interests in Ontario?—A. Oh, no, sir; they can not cut down.

Q. There were certain dredges working in St. John harbor some years ago—you cut down their boiler pressure, didn't you? —A. Yes; that was on account of the riveting.

Q. The opinion of your branch of the department must be that the regulations of the United States are not sufficient for the maintenance of safety?—A. We allow one-fourth of the bursting pressure. They take a little more risk.

Q. If theirs is sufficient for safety there would be no need of our maintaining the extra?—A. I don't think it is.

By Secretary REDFIELD:

Q. I would like to have your permission to insert in the record this memorandum?—A. Certainly.

(Memorandum follows:)

#### STEAM FISHING VESSELS, INSPECTION OF.

Canadian law requires a steam fishing vessel to be inspected the same as any other nonpassenger steamship, except that a certificate may be granted without the vessel being in charge of a certified master.



Nonpassenger steamships of 150 tons gross and up are required to have the hull and equipment and boilers and machinery inspected every twelve months. Tugs are not included in this, no matter what size.

There are no regulations regarding inspection of the hull, the inspector being required to satisfy himself that it is seaworthy for the service for which intended.

Equipment covers life-saving and fire-extinguishing apparatus, signal lights, etc.; these are provided for by regulations made by O. C.

Boiler inspection is made under regulations made by O. C. These are practically the same as B. O. T. rules. Machinery inspection except for shafts is not made under regulations, the inspector being required to satisfy himself that the machinery is sufficient for the purpose.

Nonpassenger steamships including steam fishing vessels of less than 150 tons gross and all tugs, i. e., vessels actually employed in towing, are not required to have annual hull inspection but are required to comply with the regulations regarding equipment, boat's lights, etc.

Nonpassenger steamships not exceeding 150 tons and all tugs are required to have annual inspection of the boilers and machinery. The inspector who makes this inspection sees to the equipment.

All nonpassenger steamships are required to have certificated engineers in charge of a watch, provided that such ships having engines not in excess of 10 or 20 N. H. P. according as the engines are simple or compound do not require certificated engineers.

#### TRANSFER OF STEAMSHIPS FROM U. S. TO CANADIAN REGISTRY.

As far as concerns inspection the only inconvenience that may be experienced is in regard to boiler pressure, due either to the boiler itself or to the engine shaft. The shaft question is generally not of grave import.

In regard to boiler inspection certain calculations are made to find the bursting pressure of the shell of the boiler, and if the workmanship is of the highest class the working pressure is set at a little less than one-fourth this bursting pressure. The B. O. T. and Lloyd's allow about the same ratio for the highest class of work between bursting and working pressure. This ratio is called the factor of safety, and in Canada is 4.25, whilst for the B. O. T. it is 4.5. Lloyd's is somewhat difficult to arrive at, but is about the same as Canada.

In the U. S. A., whilst the factor of safety appears greater than in Canada, yet, as they do not allow for the weakness of the longitudinal seam, it is actually less. For a joint with two or more rows of rivets, whether the joint be lap or double-butt strap, the U. S. factor of safety is 5. However, as they calculate the working pressure considering the solid plate and not taking into account the joint percentage, the factor may be actually as low as 3.8.

The U. S. authorities take a little more chance than any other recognized inspection authority.

Considering staying-in boilers, the U. S. regulations allow very much greater pressure than the B. O. T. or Canadian. In the boiler tracing for *Saxona* the B. O. T. or Canadian pressure would be about 142 lbs. for back plate in combustion chamber, U. S. would allow about 197 lbs., Lloyd's would allow 164 lbs.

A boiler coming into Canada from the U. S. could hardly be expected to be allowed more pressure than one built in Canada or Great Britain, following the Canadian, B. O. T., or Lloyd's rules.

The Canadian, B. O. T., Lloyd's, British Corporation, and Bureau Veritas rules all require that a boiler should be built open to inspection, otherwise the pressure will be reduced. The U. S. authorities are satisfied to take the sworn statement of the owner of the boiler shop as to how the work was done. The owner is an interested party and the person taking the oath is more likely a clerk or secretary who is not in a position to say whether holes were drifted, etc.

Unless reliable information is to hand that work has been carried out in some particular way, calculations as to strength are worse than useless. If you took it for granted that holes have been drilled in place after bending, whilst, as a matter of fact, they had been punched before bending, you would be calculating for a straight rivet filling two holes in line with each other and radial, whilst, as a matter of fact, the holes would not be in line at all.

In reducing the pressure of a boiler which was not open to inspection during construction, the most natural and proper action is taken. In making your calculations you say this part has the appearance of first-class work on the

outside, but it may not be. Consequently you reduce the load as you would with a bridge or any other structure which was considered doubtful. Concerning boilers which have not been open to inspection during construction, the Canadian regulations lay down that in calculating the working pressure the addition of 1.65 shall be made to the factor of safety. This obtained in the board of trade regulations until a few days ago. The understanding was that if an inspector had not witnessed the construction of a boiler by visiting the shop from time to time when it was being built, he was to assume that the worst class of work throughout had been done—that in place of holes being drilled in place they had been punched out of place and that they were not in line, etc.

Recently the board of trade, instead of laying down definitely what additions to the factor of safety shall be made, have ruled that the matter should be submitted to the board, presumably they intend to take into consideration the general class of work done in a shop and to set out a factor accordingly. Whilst the Canadian regulations have not as yet been changed, the above arrangement has been entered into on several occasions, and it is proposed to have a change made at an early date, so that a boiler not open to inspection during construction would have the factor of safety determined by the board. In no case, however, could a boiler which was not open to inspection during construction be allowed the same pressure as would be allowed a boiler which had been open.

Ottawa, 2d February, 1918.

Q. Would it surprise you to learn that Lloyd's boiler inspector had requested the United States Steamboat Inspection Service to reduce its requirements on testing boiler plate, for the reason that they were deemed by Lloyd's to be too severe?—A. I have heard that.

Q. Having heard, then, that Lloyd's had requested the United States department to reduce its requirements because they were too severe, do you still think it right to maintain a standard more severe than that?—A. I don't think that we are too severe in any one particular.

Q. But more severe than those of the United States?—A. Slightly.

Q. And you have heard that Lloyd's think that too severe?—A. Yes, I have heard that.

Q. How do you explain the wisdom of maintaining a standard more severe than that which Lloyd's declare to be too severe?—

A. Lloyd's is only an insurance agent.

Q. In other words, you do not think Lloyd's judgment is one that should necessarily be followed?—A. I prefer the board of trade.

Q. Where did you get the information that the United States Steamboat Inspection Service accepted the maker's stamp?—A. We get frequent boilers submitted by the United States owners to come into Canada, and we could not get any record of where the steel was made and no stamp—it evidently was given by the makers when the material was put into the construction of the boilers.

Q. Did you ever ask the Steamboat Inspection Service of the United States their rule?—A. No.

Q. Did you ever ask them to furnish you with a copy of their regulations for the testing of boilers?—A. We ask the man who owns the boiler to produce a record of the bursting pressure.

Q. Did you ever ask them to give you a copy of the regulations?—A. Never—that was a matter for the owner of the boiler.

Secretary REDFIELD. Before you make a public statement of the kind that you have made I would very earnestly suggest that you give us the privilege of furnishing you the official documents. I would like to state that the Steamship Service of the United States never accepts from any steel maker his stamp or statement as to the quality

of his boiler plate. In every mill making boiler plate an officer of the Steamship Inspection Service is stationed, wholly independent of the boiler-plate maker or the steel maker. He must personally examine the plates and he must personally stamp the plates with his own stamp and no plate is allowed to go into any boiler for marine purposes in the United States—into any vessel—which is not stamped with the name of the United States inspector or a certain proportion of which have not been stamped after actual trial by the United States inspector himself. At the present moment, because of the immense rush for building vessels, we have an extra force of inspectors stationed at the rolling mill where the plate is made, making a constant and unbroken examination of all the steel that is produced. It is my recollection that Lloyd's have within a very few weeks requested us to modify the regulations for boiler-plate steel because they were unnecessarily severe.

Chief Justice HAZEN. Has that been the practice for some years?

Secretary REDFIELD. For five years past.

Q. This is merely a misunderstanding. The fact that a plate does bear the manufacturer's stamp is assumed to mean that it has not had any official test?—A. It has had official test with interested parties.

Q. Not at all. I read from section 4430 of the Revised Statutes of the United States, found on page 18 of Form 800, Department of Commerce, Steamboat Inspection Service, July 14, 1917:

And the Supervising Inspector General may, under the direction of the Secretary of Commerce, detail assistant inspectors from any local inspection district where assistant inspectors are employed, to inspect iron or steel boiler plates at the mills where the same are manufactured; and if the plates are found in accordance with the rules of the supervising inspectors, the assistant inspector shall stamp the same with the initials of his name, followed by the letters and words, "U. S. Assistant Inspector," and material so stamped shall be accepted by the local inspectors in the districts where such material is to be manufactured into marine boilers as being in full compliance with the requirements of this section regarding the inspection of boiler plates; it being further provided that any person who affixes any false, forged, fraudulent, spurious, or counterfeit of the stamp herein authorized to be put on by an assistant inspector, shall be deemed guilty of a felony, and shall be fined not less than one thousand dollars nor more than five thousand dollars, and imprisoned not less than two years nor more than five years.

As an additional element, section 4431:

Every plate of boiler iron or steel, made for use in the construction of steam-boat boilers, shall be distinctly and permanently stamped by the manufacturer thereof, and, if practicable, in such places that the marks shall be left visible when such plates are worked into boilers, with the name of the manufacturer, the place where manufactured, and the number of pounds tensile strain it will bear to the sectional square inch; and the inspectors shall keep a record in their office of the stamps upon all boiler plates and boilers which they inspect.

Also section 4433:

The working steam pressure allowable on boilers constructed of plates inspected as required by this title, when single-riveted, shall not produce a strain to exceed one-sixth of the tensile strength of the iron or steel plates of which such boilers are constructed; but where the longitudinal laps of the cylindrical parts of such boilers are double-riveted, and the rivet holes for such boilers have been fairly drilled instead of punched, an addition of twenty per centum to the working pressure provided for single riveting may be allowed: *Provided*, That all other parts of such boilers shall correspond in strength to the additional allowances so made; and no split-caulking shall in any case be permitted.



And the portion of 4430 which I omitted:

Every iron or steel plate used in the construction of steamboat boilers, and which shall be subject to a tensile strain, shall be inspected in such manner as shall be prescribed by the board of supervising inspectors and approved by the Secretary of Commerce, so as to enable the inspectors to ascertain its tensile strength, homogeneity, toughness, and ability to withstand the effect of repeated heating and cooling; and no iron or steel plate shall be used in the construction of such boilers which has not been inspected and approved under those rules.

I would like to say as a part of this international conference, Mr. Chief Justice, that we have a record of every plate used in every boiler in every steamboat in the United States, and are ready to furnish to your department at any time duplicates of our public records in the matter.

A. We do not accept your supervising inspector's test.

By Chief Justice HAZEN:

Q. Is not that a mistake when it is done in the careful manner described here?—A. Certainly.

Q. That would be a good reason for changing the law—the impression I got from what you said was that their system was not a thorough system?—A. Lloyd's or Board of Trade Inspector must be stamped on the boilers.

Q. Do you see any necessity of continuing that system now, in view of this?—A. It is open for consideration.

Q. Is not that a very safe and thorough system?—A. Yes.

Q. Why should we in Canada say that we will not accept it?—A. There are other objections.

Q. What are the other objections?—A. I spoke about not being open to inspection while under construction.

Q. This is inspected under construction?—A. No, sir.

Q. Only the steel?—A. Not by our inspector.

Q. Are their inspectors not as well qualified as our inspectors?—A. Quite as well.

Q. And quite as anxious as our inspectors to have the boilers constructed properly?—A. Yes.

Q. Where is the objection to accepting their inspection?—A. We accept their inspection, but not the steel; it is against the law.

Q. Simply against the law. I am asking whether there is any reason that would justify the continuation of such a law—whether the law ought not to be repealed as it undoubtedly places the American who wants to transfer his vessel to the Canadian registry in a position which is very difficult, and the result is no doubt that a number of vessels would be on the Canadian register which do not come there to-day because of this law which seems to be unnecessarily severe?—A. I do not see it in that way.

By Secretary REDFIELD:

Q. What is the custom of your department, Mr. Inspector, as regards reinspection of vessels?—A. We inspect vessels every year.

Q. How often during that year?—A. Any period during the year in the discretion of the inspector—they may go on at any time.

Q. What is your custom as regards reinspections?—A. Annual.

Q. As regards reinspection, what is your custom?—A. What do you mean, sir?

Q. How many times a year after the annual inspection do you regularly examine your vessels during the season they are in use?—A. We examine our vessels and certificate them for one year.

Q. How many times after that examination do you reinspect them during that year?—A. The inspector may visit the vessel—he certifies the ship unless she has been on shore or in an accident.

Q. Do you know what the custom of the United States Steamboat-Inspection Service is in the matter of reinspection?—A. I should judge that they have the same—the inspectors can go on board a ship and inspect the hull, the machinery, and equipment.

Q. Do you know what the custom is as regards reinspection?—A. After a period of some months all passenger ships—I understand you have a traveling inspector who goes on board.

Q. I do not refer to the traveling inspector—do you know what the rule is as to the reinspection of passenger vessels?—A. I have the book here—I have not made a study of it.

Q. The custom in the United States is three times during the working season to reinspect every passenger vessel in addition to her original inspection. Have you a traveling inspector in your department?—A. All our inspectors are traveling inspectors.

Q. Have you an inspector who does nothing but travel?—A. No, sir.

Q. We employ two traveling inspectors who do nothing but travel, and whose duties are in addition to the original inspections and the three reinspections to inspect the vessels at odd times while in motion.—A. Our men do that as well.

Q. But these men who do this do nothing else.—A. Still you certificate the ship for 12 months.

Q. And occasionally on reinspection cancel it.—A. So do we—sometimes we let it go for six months.

Mr. SHORT. You asked me something about the shad fishery; we have here Mr. John Jackson, of St. John, who has been largely interested in the shad fisheries.

Chief Justice HAZEN. We had the pleasure of hearing from Mr. Jackson yesterday. If he has anything to add we will be glad to hear it.

Mr. JACKSON. I do not think it would be wise for me to take up your time with any local matters. You have asked me, sir, and I can tell you all I know about it. I know up to the last five or six years our *M1* goods in the shad line came from up the bay. As you know, there are several miles of the very finest spawning grounds in the world in that particular part of the bay. After the Delaware shad were depleted the Americans commenced to send there for shad, with the result that the industry has disappeared. I think a close season of three or four years would do much good.

Q. Would you favor the close season being imposed upon shad whether in the harbor or sea or river?—A. I would favor a close season. The Americans go after the shad—they start in at Tampa in November and December, and everybody has a dab at them on their way up here.

Mr. DAVIS. One little point, relative to expenditure. As I understand, this 5 per cent which he allows the captain for commission comes out of stock.

Mr. SHORT. It comes out of the vessel's share; practically, the owners pay it.

Mr. DAVIS. I understood the vessel paid it.

### CLOSING STATEMENT BY CHIEF JUSTICE HAZEN.

Chief Justice HAZEN. I would take the opportunity of expressing the thanks of the commission to you gentlemen who have come here to give us the very valuable information you have been good enough to afford us. I think our thanks are due to Mr. Chesley, of the Marine and Fisheries Department, for the arrangements for the meeting, as well as to the press of St. John for the very excellent representations they have published with regard to these proceedings—reports that will have the effect, I think, of causing a great deal of discussion throughout the country over this fishery question and bring it prominently to the notice of people interested in it. Here as elsewhere our meetings have been of a very satisfactory character, and I was pleased to notice the question was approached here and in the United States as well from a very high-minded and patriotic point of view. We have been fortunate in having Mr. Smith present at our meeting—from Gloucester—and also I am delighted that we have Mr. Davis, the president of the board of trade of that city with us. I regret he was not here yesterday to have taken part in our proceedings.

I think the presence of both these gentlemen from the United States has been a distinct advantage to the deliberations of the conference. We propose to get as full information as possible from whatever source we can get it, and as I have stated several times during this inquiry, we will be very much obliged to you or any other gentleman, and I hope the press will make a note of this—to anyone who has any views to advance in connection with this question—if he will be good enough to submit these views in writing. They will have the same consideration at our hands as the representations made verbally at the different meetings we have held. The question of the rights of fishing vessels in the Pacific is one in many respects similar to those on the Atlantic. It will be necessary for us to go to the Pacific, both to the Pacific States and the Pacific Province of British Columbia, and we will probably have to go up to Prince Rupert and across to Ketchikan. It is our intention to adjourn to the 24th day of April, when a full commission will be able to attend, and from that time forward our inquiries will be made as rapidly as possible, so that the report we make to our respective Governments may be submitted at an early date. I am sure that the information we are getting in regard to other matters will prove of very great value to the Fisheries Department of Canada. The information regarding the shad fishery, the views expressed here and in the United States regarding the lobster fishery, ought, in my opinion, to lead to drastic and effective action being taken at a very early date, and that action ought to be taken from the standpoint of the general benefit of the people of this country and without regard to particular local conditions or particular local interests. The result will be to the very great advantage of those engaged in shad and lobster fishing.



I thank you for your kindness in attending, for the information given us, and the pains you have taken in getting the information, and declare this meeting adjourned to meet at Seattle on the 24th of April next.

#### CLOSING STATEMENT OF HON. WILLIAM C. REDFIELD.

Secretary REDFIELD. On behalf of the American members of the conference I would like to add to what the chief justice has so well said my note of thanks for the cordial and candid spirit in which our inquiries have been met. I appreciate as a business man myself that many of the questions we have asked have been very direct and almost personal in their character, and they have been met in a kindly spirit which is all that could be desired. And I am further convinced, gentlemen, of something which as I have grown older has become increasingly borne in upon my thought, and that is that when men know each other better, misunderstandings fade away. Charles Lamb once said that he could not hate a man whom he knew, and there is a lot of profound wisdom in the statement. We ought not to have a dividing line; it ought rather to be a connecting line, and just as the decisions of your courts and the decisions of English courts are recognized by the courts of the United States as having force, so all I think of the official acts of your Government should be recognized by ours, and all ours by yours. We are quite willing in the Department of Commerce at any time on question or as a matter of regularity to furnish from our records to your corresponding department, Mr. Chief Justice, any official facts or figures that will be mutually helpful. There is no reason in the world why it should not be done. It is ordinary common sense to do it. It surely is a pity on either side of an imaginary line for two great kindred peoples whose ideals are the same and whose purposes are kindly to operate as if that thing which none of us can see and over which any of us can step at will were something greater than a Chinese wall, which obliged us to blind our eyes when we look that way, and think of them other than as friends. I rejoice in the close associations with these splendid men of Canada, sent by her to be a part of this conference; I rejoice in meeting you men of Canada—in knowing one another better, so that the glad hand may take the place of the cold heart. I thank you.

(Adjourned.)

# EXHIBITS.

## EXHIBIT A.

Memorandum respecting payment of fishing bounty in Canada.

The payment of fishing bounty was started in 1882. It originated as follows:

Article 22 of the treaty of Washington, 1871, provided for the appointment of a commission to determine the amount of the excess value of the privileges accorded to United States fishermen in Canadian waters over those granted to Canadian fishermen in United States waters under the treaty. This commission awarded \$5 500 000 to be payable to Great Britain. Of this amount \$1,500,000 was paid to Newfoundland and \$4,000,000 to Canada.

While this sum went into the Canadian consolidated revenue, it was decided to distribute yearly a sum equal to 4 per cent thereon—\$160,000—amongst the Atlantic fishermen and the owners of fishing vessels and fishing boats with the object of encouraging the development of the sea fisheries and the building of fishing vessels.

Owing to the large number of claimants, the amount paid to individuals is so insignificant that it is neither having the effect of encouraging people to go into fishing nor the building of fishing vessels, nor of placing Canadian fishermen at any advantage over their competitors. This will be obvious from the following:

In 1882 the total number of fishermen who received bounty was 29,932. Of these, 6 486 were in vessels ranking from 10 tons upward and 23,446 in inshore fishing boats.

In 1916—the last year for which the record is available—28,137 fishermen received bounty, or a decrease of 1 795. Of these, but 5,455 were in vessels ranging from 10 tons upward, a decrease of 1,031, and 22,682 in inshore boats, a decrease of 764.

The amount of bounty paid in each instance in any year depends on the total number of claims submitted. Usually it is about—

On fishing vessels, \$1 per ton, register up to a maximum of \$80.

On fishing boats, \$1 per boat.

To fishermen fishing from boats, \$3.50 each.

To fishermen fishing from vessels, \$6.50 each.

Since 1897 the amounts have been as follows:

Year.	Vessels.	Men.	Boats.	Men.	Year.	Vessels.	Men.	Boats.	Men.
	<i>Per ton</i>	<i>Each.</i>	<i>Each.</i>	<i>Each.</i>		<i>Per ton.</i>	<i>Each.</i>	<i>Each.</i>	<i>Each.</i>
1897.....	\$1.00	\$6.00	\$1.00	\$3.50	1907.....	<sup>1</sup> 1.00	7.40	1.00	4.00
1898.....	<sup>1</sup> 1.00	6.50	1.00	3.50	1908.....	<sup>1</sup> 1.00	7.25	1.00	3.90
1899.....	<sup>1</sup> 1.00	7.00	1.00	3.50	1909.....	<sup>1</sup> 1.00	7.50	1.00	4.25
1900.....	<sup>1</sup> 1.00	6.50	1.00	3.50	1910.....	<sup>1</sup> 1.00	7.60	1.00	4.30
1901.....	<sup>1</sup> 1.00	7.00	1.00	3.50	1911.....	<sup>1</sup> 1.00	7.15	1.00	4.10
1902.....	<sup>1</sup> 1.00	7.25	1.00	3.80	1912.....	<sup>1</sup> 1.00	6.90	1.00	3.95
1903.....	<sup>1</sup> 1.00	7.30	1.00	3.90	1913.....	<sup>1</sup> 1.00	6.70	1.00	3.95
1904.....	<sup>1</sup> 1.00	7.15	1.00	3.75	1914.....	<sup>1</sup> 1.00	6.40	1.00	3.65
1905.....	<sup>1</sup> 1.00	7.10	1.00	3.65	1915.....	<sup>1</sup> 1.00	5.90	1.00	3.45
1906.....	<sup>1</sup> 1.00	7.10	1.00	3.75	1916.....	<sup>1</sup> 1.00	6.45	1.00	4.10

<sup>1</sup> Up to 80 tons register.

WM. A. FOUND.

## EXHIBIT B.

DEPARTMENT OF COMMERCE,  
Washington, September 1, 1911.

COLLECTOR OF CUSTOMS,  
New York, N. Y.

SIR: The department has received your letter of the 30th ultimo, inclosing a letter from the British consul general in which he inquires whether the action of your officers was correct in the case of the British steam trawler *Coquet*.

On March 31 last the British steam trawler *Coquet* entered your port with a cargo of fresh fish, having cleared from a port in Canada and caught the fish after such clearance. Due entry was made of the vessel and cargo and duties paid on the fish. Application was made by the master for a clearance for the fishing grounds, he stating that he desired to make your port a base of fishing operations, the market there being more satisfactory to him than the Canadian markets. He stated that it was to be understood that he would enter his catch on each arrival and pay regular duties. He was advised by your office that without departmental instructions in the matter your office would refuse to grant clearance as requested. The master thereupon cleared his vessel for a Canadian port.

As the *Coquet* had left your port for Canada when your letter was received, a specific case was not before the department for a ruling and instructions were not considered necessary on the hypothetical question involving, besides construction of the statutes, a consideration of national policy. This hypothetical question is now presented by the British consul general.

The department prefers that the question, which is of considerable importance, should be presented to it through diplomatic channels as is usual in similar cases. You may so advise the British consul general.

You will regard this letter as a reply also to your letter of July 25, inclosing a letter of inquiry addressed to you by the Hon. C. Jameson, M. P., House of Commons, Ottawa, Canada.

Respectfully,

CHARLES EARL, *Acting Secretary.*

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#### EXHIBIT C.

TREASURY DEPARTMENT,  
UNITED STATES CUSTOMS SERVICE,  
*Port of Boston, Mass., June 4, 1914.*

COMMISSIONER OF NAVIGATION,  
*Washington, D. C.*

SIR: I respectfully beg to refer to my letter of April 25, inclosing a copy of a letter from the deputy collector at Gloucester, requesting instructions as to whether foreign fishing vessels arriving from the fishing grounds will be allowed to enter. I have received no reply to this letter. I am to-day in receipt of a letter from the above-named deputy in which he writes, "I am informed that such fishing vessels are expected at this port shortly." It seems to be of the utmost importance that we should receive the instructions of the bureau in time to know what action to take.

Respectfully,

(Sgd.) E. BILLINGS, *Collector.*  
W. F. J.

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#### EXHIBIT D.

JUNE 5, 1914.

COLLECTOR OF CUSTOMS,  
*Boston, Mass.*

SIR: The bureau has received and given consideration to your letter of April 25, in which you inclose a letter from the deputy collector of customs at Gloucester, propounding the following hypothetical questions:

1. May a Canadian fishing vessel be entered at a United States customhouse when it has arrived direct from the fishing grounds?

2. May a vessel enter at a United States customhouse with a cargo of fish caught by the vessel but under a clearance for the United States procured from a Canadian port before the cargo was caught? Also, if the clearance is granted after the cargo is caught?

3. If an entry is permitted at a United States customhouse under any of the above conditions should a clearance be granted and to what place (fishing grounds or a port)?

1. As you already have been instructed in the case of the British steam trawler *Coquet* the American fisheries are reserved to vessels of the United States and Canadian fishing vessels can not be permitted to engage in this business. You will therefore refuse both clearance and entry to any foreign vessel which attempts to enter the American fisheries.



2. This question is exceedingly difficult. Ordinarily, a vessel entering your port with a proper clearance from a foreign port is entitled to entry provided such clearance from the foreign port is bona fide and is not an attempt to evade the navigation laws of the United States. This does not apply to the case of a vessel which clears before she secures her cargo of fish or where the cargo of fish is secured first and the clearance from a foreign port is for the purpose of evading our law. Before permitting the entry of any such vessel, where the evidence is clear that an attempted evasion of the law is involved, you may communicate with the department.

3. If a vessel applies to you for a clearance to a Canadian port, the bureau does not perceive how you can refuse such clearance unless you have positive evidence that such application for clearance is fraudulent and an attempt to evade the law in which case clearance should be refused.

You will understand the difficulties involved in these questions and they are to be avoided wherever practicable.

Respectfully,

(Signed) E. T. CHAMBERLAIN,  
*Commissioner.*

## EXHIBIT E.

### SECTION 4426 OF THE REVISED STATUTES.

SEC. 4426. The hull and boilers of every ferryboat, canal boat, yacht, or other small craft of like character propelled by steam, shall be inspected under the provisions of this title. Such other provisions of law for the better security of life as may be applicable to such vessels shall, by the regulations of the board of supervising inspectors, also be required to be complied with before a certificate of inspection shall be granted, and no such vessel shall be navigated without a licensed engineer and a licensed pilot: *Provided, however,* That in open steam launches of ten gross tons and under, one person, if duly qualified, may serve in the double capacity of pilot and engineer. All vessels of above fifteen gross tons carrying freight or passengers for hire, but not engaged in fishing as a regular business, propelled by gas, fluid, naphtha, or electric motors, shall be, and are hereby, made subject to all the provisions of section forty-four hundred and twenty-six of the Revised Statutes of the United States relating to the inspection of hulls and boilers and requiring engineers and pilots, and for any violation of the provisions of this title applicable to such vessels, or of rules or regulations lawfully established thereunder, and to the extent to which such provisions of law and regulations are so applicable, the said vessels, their masters, officers, and owners shall be subject to the provisions of sections forty-four hundred and ninety-six, forty-four hundred and ninety-seven, forty-four hundred and ninety-eight, forty-four hundred and ninety-nine, and forty-five hundred, relating to the imposition and enforcement of penalties and the enforcement of law.

All vessels of fifteen gross tons or less propelled in whole or in part by gas, gasoline, petroleum, naphtha, fluid, or electricity, and carrying passengers for hire, shall carry one life-preserver, of the sort prescribed by the regulations of the board of supervising inspectors, for every passenger carried, and no such boat while so carrying passengers shall be operated or navigated except in charge of a person duly licensed for such service by the local board of inspectors. No examination shall be required as a condition of the obtaining of such a license, and any such license shall be revoked or suspended by the local board of inspectors for misconduct, gross negligence, recklessness in navigation, intemperance, or violation of law on the part of the holder, and if revoked, the person holding such license shall be incapable of obtaining another such license for one year from the date of revocation.

## EXHIBIT F.

### SECTION 4463 OF THE REVISED STATUTES.

SEC. 2. The board of local inspectors shall make an entry in the certificate of inspection of every ocean and coastwise seagoing merchant vessel of the United States propelled by machinery, and every ocean-going vessel carrying passen-

gers, the minimum number of licensed deck officers required for her safe navigation according to the following scale:

That no such vessel shall be navigated unless she shall have on board and in her service one duly licensed master.

That every such vessel of one thousand gross tons and over, propelled by machinery, shall have in her service and on board three licensed mates, who shall stand in three watches while such vessel is being navigated, unless such vessel is engaged in a run of less than four hundred miles from the port of departure to the port of final destination, then such vessel shall have two licensed mates; and every vessel of two hundred gross tons and less than one thousand gross tons, propelled by machinery, shall have two licensed mates.

That every such vessel of one hundred gross tons and under two hundred gross tons, propelled by machinery shall have on board and in her service one licensed mate; but if such vessel is engaged in a trade in which the time required to make the passage from the port of departure to the port of destination exceeds twenty-four hours, then such vessel shall have two licensed mates.

That nothing in this section shall be so construed as to prevent local inspectors from increasing the number of licensed officers on any vessel subject to the inspection laws of the United States if, in their judgment, such vessel is not sufficiently manned for her safe navigation: *Provided*, That this section shall not apply to fishing or whaling vessels, yachts, or motor boats as defined in the act of June ninth, nineteen hundred and ten.

#### EXHIBIT G.

An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion, and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section forty-five hundred and sixteen of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

Sec. 4516. In case of desertion or casualty resulting in the loss of one or more of the seamen, the master must ship, if obtainable, a number equal to the number of those whose services he has been deprived of by desertion or casualty, who must be of the same or higher grade or rating with those whose places they fill, and report the same to the United States consul at the first port at which he shall arrive, without incurring the penalty prescribed by the two preceding sections. This section shall not apply to fishing or whaling vessels or yachts.

Sec. 2. That in all merchant vessels of the United States of more than one hundred tons gross, excepting those navigating rivers, harbors, bays, or sounds, exclusively, the sailors shall, while at sea, be divided into at least two, and the firemen, oilers, and water tenders into at least three watches, which shall be kept on duty successively for the performance of ordinary work incident to the sailing and management of the vessel. The seamen shall not be shipped to work alternately in the fireroom and on deck, nor shall those shipped for deck duty be required to work in the fireroom, or vice versa; but these provisions shall not limit either the authority of the master or other officer or the obedience of the seamen when, in the judgment of the master or other officer, the whole or any part of the crew are needed for the maneuvering of the vessel or the performance of work necessary for the safety of the vessel or her cargo, or for the saving of life aboard other vessels in jeopardy, or when in port or at sea from requiring the whole or any part of the crew to participate in the performance of fire, lifeboat, and other drills. While such vessel is in a safe harbor no seaman shall be required to do any unnecessary work on Sundays or the following-named days: New Year's Day, the Fourth of July, Labor Day, Thanksgiving Day, and Christmas Day, but this shall not prevent the dispatch of a vessel on regular schedule or when ready to proceed on her voyage. And at all times while such vessel is in a safe harbor, nine hours, inclusive of the anchor watch, shall constitute a day's work. Whenever the master of any vessel shall fail to comply with this section, the seamen shall be entitled to discharge from such vessel and to receive the wages earned. But this section shall not apply to fishing or whaling vessels, or yachts. (Seamen's act, Mar. 4, 1915.)

## EXHIBIT H.

OFFICE OF THE SOLICITOR, DEPARTMENT OF COMMERCE.

*Washington, January 29, 1918.*

SIR: In response to your inquiry as to what sections of the seamen's act are applicable to fishing vessels. I have the honor to advise you that, in my opinion, the only provisions of the act which apply to fishing vessels are:

Section 6. The applicable provisions of which are:

1. The first paragraph, which applies to fishing vessels of 100 tons register or over, the construction of which was or shall be begun after March 4, 1915.

2. The third paragraph, which applies to steam fishing vessels plying upon the Mississippi River or its tributaries.

3. The fourth paragraph, which applies to all fishing vessels the construction of which was begun or which shall be begun after March 4, 1915.

4. The fifth paragraph, which applies to all fishing vessels.

Section 9. All of the provisions of which apply to fishing vessels.

Section 12. Which expressly brings fishing vessels within its scope.

Section 14. Which applied to all steam fishing vessels over 65 feet in length navigating the ocean, or any lake, bay, or sound of the United States.

Respectfully,

E. T. QUIGLEY,  
*Assistant Solicitor.*

The SECRETARY OF COMMERCE.

## EXHIBIT I.

DEPARTMENT OF COMMERCE,

BUREAU OF NAVIGATION.

*Washington, January 22, 1918.*

## FISHERIES MATTER.

Memorandum for Secretary Redfield.

The following telegrams were sent yesterday, January 21, and replies delivered this morning:

JANUARY 21, 1918.

COLLECTOR OF CUSTOMS.

*Seattle, Wash.:*

Do you allow foreign (Canadian) fishing vessels to clear for high seas; and if so, under what conditions and by what authority? Is practice general with you? Wire reply promptly.

E. T. CHAMBERLAIN,  
*Commissioner.*

Repeat to deputy collector customs, Ketchikan, Alaska.

SEATTLE, *January 21.*

COMMISSIONER NAVIGATION.

*Washington.*

Your telegram to-day. This office does not grant Canadian fishing vessels clearance for high seas. These vessels clear for and enter from foreign port only.

DRUMHELLER,  
*Collector.*

KETCHIKAN, ALASKA,  
*January 21, 1918.*

E. T. CHAMBERLAIN,

*Commissioner Navigation, Washington.*

Do not grant clearance for high seas to Canadian vessels. They clear for Canadian port, but, however, proceeding to sea fisheries from here.

M. S. DOBBS,  
*Deputy Collector.*

Respectfully,

(Signed)

E. T. CHAMBERLAIN,  
*Commissioner.*



## EXHIBIT J.

WASHINGTON, D. C.,

August 28, 1916.

F. H. CUNNINGHAM,

*Chief Inspector of Fisheries,**New Westminster, British Columbia;*

Please ascertain fully and wire me to-day without fail whether Canadian fishing vessels are allowed to go to Washington State or other American ports and there procure their bait, or when there is shortage in Canada is bait imported in ordinary commercial vessels? Very important.

WM. A. FOUND,

*Shorcham Hotel.*

NEW WESTMINSTER, August 28, 1916.

W. A. FOUND,

*Shorcham Hotel, Washington, D. C.;*

Canadian fishing vessels are allowed to purchase bait Washington State or other American ports without any restrictions other than complying with custom regulations. Corroborated by American Customs Blaine and Hagar. Can not ascertain specific case where bait has been imported in ordinary commercial vessels. Duty of 1 cent per pound and 7½ per cent war tax prohibits. More convenient and economical for Canadian vessel to go to American ports.

(Signed)

F. H. CUNNINGHAM.

## EXHIBIT K.

Revised Statutes 3109. The master of any foreign vessel, laden or in ballast, arriving, whether by sea or otherwise, in the waters of the United States from any foreign territory adjacent to the northern, northeastern, or northwestern frontiers of the United States shall report at the office of any collector or deputy collector of the customs, which shall be nearest to the point at which such vessel may enter such waters; and such vessel shall not transfer her cargo or passengers to another vessel or proceed farther inland, either to unload or take in cargo, without a special permit from such collector or deputy collector, is sued under and in accordance with such general or special regulations as the Secretary of the Treasury may, in his discretion, from time to time prescribe. This section shall also apply to trade with or through Alaska. For any violation of this section **such** vessel shall be seized and forfeited.

## EXHIBIT L.

Treaty between United States and Great Britain relating to boundary waters between United States and Canada, signed at Washington, January 11, 1909.

## ARTICLE I.

The High Contracting Parties agree that the navigation of all navigable boundary waters shall forever continue free and open for the purposes of commerce to the inhabitants and to the ships, vessels, and boats of both countries, equally subject, however, to any laws and regulations of either country, within its own territory, not inconsistent with such privilege of free navigation and applying equally and without discrimination to the inhabitants, ships, vessels, and boats of both countries.

It is further agreed that so long as this treaty shall remain in force this same right of navigation shall extend to the waters of Lake Michigan and to all canals connecting boundary waters, and now existing or which may hereafter be constructed on either side of the line. Either of the High Contracting Parties may adopt rules and regulations governing the use of such canals within its own territory and may charge tolls for the use thereof, but all such rules and regulations and all tolls charged shall apply alike to the subjects or citizens of the High Contracting Parties and the ships, vessels, and boats of both of the High Contracting Parties, and they shall be placed on terms of equality in the use thereof.

## EXHIBIT M.

Treaty between United States and Great Britain relating to boundary waters between United States and Canada, signed at Washington, January 11, 1909.

## PRELIMINARY ARTICLE.

For the purposes of this treaty boundary waters are defined as the waters from main shore to main shore of the lakes and rivers and connecting waterways, or the portions thereof, along which the international boundary between the United States and the Dominion of Canada passes, including all bays, arms, and inlets thereof, but not including tributary waters which in their natural channels would flow into such lakes, rivers, and waterways, or waters flowing from such lakes, rivers, and waterways, or the waters of rivers flowing across the boundary.

## EXHIBIT N.

(Vol. 6, Comp. Stat. Anno., p. 6884; R. S., sec. 3109, as amended, act Feb. 17, 1898, c. 20, sec. 4.)

## REPORT BY MASTERS OF FOREIGN VESSELS.

The master of any foreign vessel, laden or in ballast, arriving, whether by sea or otherwise, in the waters of the United States from any foreign territory adjacent to the northern, northeastern, or northwestern frontiers of the United States shall report at the office of any collector or deputy collector of the customs, which shall be nearest to the point at which such vessel may enter such waters; and such vessel shall not transfer her cargo or passengers to another vessel or proceed farther inland, either to unload or take in cargo, without a special permit from such collector, or deputy collector, issued under and in accordance with such general or special regulations as the Secretary of the Treasury may, in his discretion, from time to time prescribe. This section shall also apply to trade with or through Alaska. For any violation of this section such vessel shall be seized and forfeited.

## EXHIBIT O.

*Fishing vessels sold alien during the calendar years 1914, 1915, and 1916.*

1914.

Rig.	Name of vessel.	Gross tons.	Port last documented.	Foreign flag.	Date of sale, quarter ended—
Sch. ....	Effie M. Morrissey .....	120	South West Harbor, Me. ....	British. ....	Mar. 31, 1914
Sch. ....	Flirt .....	119	Gloucester, Mass. ....	do. ....	Do.
Sch. ....	Belbina P. Domingos. ....	97	do. ....	do. ....	Do.
Sch. ....	Selma .....	122	do. ....	do. ....	Do.
Sch. ....	Grace Darling .....	75	Salem, Mass. ....	do. ....	Do.
Sch. ....	Oliver F. Kilham. ....	73	do. ....	do. ....	Do.
Sch. ....	James B. Clark .....	70	do. ....	do. ....	Do.
Sch. ....	Viola .....	26	do. ....	do. ....	Do.
Slp. ....	Thomas A. Cromwell. ....	128	Boston, Mass. ....	do. ....	Do.
Sch. ....	Alice P. Turner .....	192	Vinalhaven, Me. ....	do. ....	June 30, 1914
Sch. ....	Meteor .....	125	Gloucester, Mass. ....	do. ....	Do.
Sch. ....	Adams .....	77	Boston, Mass. ....	do. ....	Do.
Sch. ....	Robert E. Harris. ....	21	New York, N. Y. ....	do. ....	Do.
Sch. ....	Roosevelt .....	41	Seattle, Wash. ....	do. ....	Do.
Ga. s. ....	Quickstep .....	104	South West Harbor, Me. ....	do. ....	Sept. 30, 1914
Sch. ....	Wm. H. Rider .....	68	Gloucester, Mass. ....	do. ....	Dec. 31, 1914
Sch. ....	Ella G. King .....	75	do. ....	Cuban. ....	Do.
Sch. ....	Gossip .....	122	do. ....	British. ....	Do.
Sch. ....	Carrie C. ....	75	do. ....	Cuban. ....	Do.
Sch. ....	Mattie Winship .....	77	do. ....	do. ....	Do.
Sch. ....	E. C. Hussey .....	81	do. ....	do. ....	Do.
Sch. ....	Mary Edith .....	72	do. ....	do. ....	Do.
Sch. ....	Junjata .....	78	Boston, Mass. ....	do. ....	Do.
Ga. s. ....	Columbus .....	38	Seattle, Wash. ....	British. ....	Do.
Total, 24 vessels .....		2,076			

*Fishing vessels sold alien during the calendar years 1914, 1915, and 1916—Con.*

1915.

Rig.	Name of vessel.	Gross tons.	Port last documented.	Foreign flag.	Date of sale, quarter ended—
Sch. . . . .	John R. Bradley . . . . .	112	Gloucester, Mass. . . . .	British. . . . .	Mar. 31, 1915
Sch. . . . .	Independence II. . . . .	145	do. . . . .	do. . . . .	Do.
St. s. . . . .	Fawn . . . . .	9	Seattle, Wash. . . . .	do. . . . .	Do.
Ga. s. . . . .	Oceana . . . . .	28	do. . . . .	do. . . . .	Do.
Sch. . . . .	Olga . . . . .	113	Gloucester, Mass. . . . .	do. . . . .	June 30, 1915
Sch. . . . .	Grace Otis . . . . .	62	do. . . . .	do. . . . .	Do.
Sch. . . . .	Hunter . . . . .	197	Boston, Mass. . . . .	do. . . . .	Do.
Ga. s. . . . .	Shushartis . . . . .	30	Seattle, Wash. . . . .	do. . . . .	Do.
Sch. . . . .	Essex . . . . .	116	Gloucester, Mass. . . . .	do. . . . .	Sept. 30, 1915.
Sch. . . . .	J. K. Manning . . . . .	297	do. . . . .	do. . . . .	Do.
Ga. s. . . . .	Michigan . . . . .	27	Seattle, Wash. . . . .	do. . . . .	Do.
Sch. . . . .	Clara A. Benner . . . . .	38	Rockland, Me. . . . .	do. . . . .	Dec. 31, 1915
Sch. . . . .	Helen G. Wells . . . . .	95	Gloucester, Mass. . . . .	Cuban . . . . .	Do.
Sch. . . . .	Tacoma . . . . .	105	do. . . . .	British . . . . .	Do.
Sch. . . . .	Hattie L. Trask . . . . .	74	do. . . . .	Cuban . . . . .	Do.
Ga. s. . . . .	Pinta . . . . .	100	do. . . . .	do. . . . .	Do.
Ga. s. . . . .	Mertis H. Perry . . . . .	61	do. . . . .	do. . . . .	Do.
Sch. . . . .	Alice . . . . .	100	Boston, Mass. . . . .	British . . . . .	Do.
Total, 18 vessels . . . . .		1,709			

1916.

Sch. . . . .	Clintonia . . . . .	147	Gloucester, Mass. . . . .	British . . . . .	Mar. 31, 1916
Sch. . . . .	Lillian . . . . .	129	do. . . . .	do. . . . .	Do.
Sch. . . . .	Moonam . . . . .	117	do. . . . .	do. . . . .	Do.
Sch. . . . .	Preceptor . . . . .	123	do. . . . .	do. . . . .	Do.
Sch. . . . .	Margaret Dillon . . . . .	77	Boston, Mass. . . . .	Cuban . . . . .	Do.
Sch. . . . .	Lucania . . . . .	147	do. . . . .	British . . . . .	Do.
Sch. . . . .	Vanessa . . . . .	130	do. . . . .	do. . . . .	Do.
Sch. . . . .	Nellie Dixon . . . . .	111	do. . . . .	do. . . . .	Do.
Ga. s. . . . .	Ella C . . . . .	7	Boothbay, Me. . . . .	do. . . . .	June 30, 1916
Sch. . . . .	Harrie A. Heckman . . . . .	105	Gloucester, Mass. . . . .	do. . . . .	Do.
Sch. . . . .	Paragon . . . . .	115	do. . . . .	do. . . . .	Do.
Sch. . . . .	Richard . . . . .	134	do. . . . .	do. . . . .	Do.
Sch. . . . .	Frances P. Mesquita . . . . .	105	Boston, Mass. . . . .	do. . . . .	Do.
Ga. s. . . . .	Eva and Mildred . . . . .	46	do. . . . .	do. . . . .	Do.
St. s. . . . .	Karluk . . . . .	321	San Francisco, Cal. . . . .	do. . . . .	Do.
Ga. s. . . . .	Waseca . . . . .	24	Seattle, Wash. . . . .	do. . . . .	Do.
Ga. s. . . . .	Yukon . . . . .	17	do. . . . .	do. . . . .	Do.
Ga. s. . . . .	Charles Levi Woodbury . . . . .	105	do. . . . .	do. . . . .	Do.
Sch. . . . .	Monitor . . . . .	137	Gloucester, Mass. . . . .	do. . . . .	Sept. 30, 1916
Slp. . . . .	Edna . . . . .	12	Salem, Mass. . . . .	do. . . . .	Do.
Sch. . . . .	William H. Oakes . . . . .	70	New York, N. Y. . . . .	do. . . . .	Do.
Ga. s. . . . .	Silver Bear . . . . .	28	Seattle, Wash. . . . .	do. . . . .	Do.
Ga. s. . . . .	Tanana . . . . .	26	do. . . . .	do. . . . .	Do.
Ga. s. . . . .	Evelyn . . . . .	15	do. . . . .	do. . . . .	Do.
Sch. . . . .	Harriett . . . . .	95	Gloucester, Mass. . . . .	Cuban . . . . .	Dec. 31, 1916
Sch. . . . .	Jorgina . . . . .	103	do. . . . .	British . . . . .	Do.
Sch. . . . .	Conqueror . . . . .	139	do. . . . .	do. . . . .	Do.
Sch. . . . .	Rose Dorothea . . . . .	147	Provincetown, Mass. . . . .	do. . . . .	Do.
Ga. s. . . . .	Rose City . . . . .	24	Seattle, Wash. . . . .	do. . . . .	Do.
Ga. s. . . . .	Agnes B. . . . .	11	Ketchikan, Alaska . . . . .	do. . . . .	Do.
Ga. s. . . . .	Sea Light . . . . .	19	do. . . . .	do. . . . .	Do.
Ga. s. . . . .	Lillian S. . . . .	10	do. . . . .	do. . . . .	Do.
Total, 32 vessels . . . . .		2,796			

Grand total, 74 vessels, 6,581 gross tons.

## EXHIBIT P.

RESOLUTION PREPARED BY DR. SMITH AND MR. FOUND RELATIVE TO HALIBUT FISHING.

Whereas the intensive fishing for halibut that has gone on for years on the halibut banks of the Pacific off the coasts of Canada and the United States has resulted in such serious depletion of the fishery on all but the far northern banks as to threaten its commercial extinction; and

Whereas all the halibut banks are inhabited by several other kinds of highly edible fish which are caught frequently in as large or even larger quantities



than halibut on the halibut fishing gear but which fish have in past years been altogether or largely thrown away as caught, on account of little or no market existing therefor; and

Whereas these fish can be produced and placed on the markets at vastly cheaper prices than halibut, so that it is in the public interest that a general demand therefor should be worked up and fishing for such fish as an industry encouraged, thus lessening the pressure on the halibut fishery; and

Whereas in the light of the investigations into the life history of the halibut that have been carried on up to this time, the most feasible method of adequately protecting the halibut fishery appears to be to divide the waters off the coasts of the United States and Canada into defined areas and prohibit all fishing for halibut in one area or several such areas for a sufficient number of years to enable the immature halibut therein to reach maturity, and then open such areas to halibut fishing for a given number of years and prohibit such fishing on the other areas, and so on; and

Whereas the effect of such method of protecting the halibut would be to prevent fishing for the different kinds of "cod" and other edible fish on such areas during the time that halibut fishing thereon would be prohibited, as the gear used to catch such fish would also capture halibut, and thus retard the development of such fisheries which might otherwise in a few years be of even more economic value to the general public of both countries than the halibut: Therefore

*Resolved*, That in the opinion of this conference it would be best for the respective Governments to have exhaustive scientific investigations continue into the natural history of the halibut, in order to determine if there is any method of properly protecting it without unduly restricting or retarding the development of other important fisheries, and that meantime and forthwith each Government exert every feasible effort to create a sufficient demand for the different kinds of "cod," flounders, and other edible fish not only to take care of the species thereof now being caught by the halibut fishermen, but also to encourage the catching of these fish as a separate industry, and it is so recommended.

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#### EXHIBIT Q.

DEPARTMENT OF COMMERCE,

BUREAU OF NAVIGATION,

Washington, January 24, 1918.

Memorandum for Secretary Redfield:

I was wrong in stating so emphatically that the act of 1898 amending section 3109 does not apply to the Atlantic ports of the United States. It would apply, if cases arise in such ports, which is seldom, if ever, so far as I am aware, the case. The act of 1898 was designed to meet Alaska conditions. To cover both the seaboard of Alaska and the Yukon and Stikine Rivers the words "by sea or otherwise" were incorporated in the amendatory act. Those words extend the act to Atlantic ports. I hasten to correct my statement into which I was led by reflection solely upon the purpose of the act of 1898 and by the fact that I have no recollection of a case under the act ever having come to my notice.

I inclose full memoranda on the act of 1898.

Respectfully,

(Signed) E. T. CHAMBERLAIN, *Commissioner*.

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#### EXHIBIT R.

DEPARTMENT OF COMMERCE,

BUREAU OF NAVIGATION,

Washington, January 24, 1918.

Memorandum for Secretary Redfield:

Section 3109 of the Revised Statutes was originally section 41 of the act of July 18, 1866, "An act further to prevent smuggling, and for other purposes." The section related to foreign vessels arriving in the waters of the United States from foreign territory adjacent to the northern, northeastern, and

northwestern frontiers of the United States which were, as the phrase is used in other acts, the Canadian frontiers on the Great Lakes and the St. Lawrence River.

To stiffen our coastwise laws for the development of American merchant shipping and to meet conditions arising in Alaska, being newly developed, section 3109, R. S., was amended by the insertion of the underscored words:

"The master of any foreign vessel, laden or in ballast, arriving, *whether by sea or otherwise*, in the waters of the United States from any foreign territory adjacent to the northern, northeastern, or northwestern frontiers of the United States, shall report at the office of any collector or deputy collector of the customs, which shall be nearest to the point at which such vessel may enter such waters; and *such vessel shall not transfer her cargo or passengers to another vessel or proceed farther inland, either to unlade to take in cargo*, without a special permit from such collector or deputy collector issued under and in accordance with such general or special regulations as the Secretary of the Treasury may, in his discretion, from time to time prescribe. *This section shall also apply to trade with or through Alaska*. For any violation of this section such vessel shall be seized and forfeited. (Repealed by Art. 1, treaty of Jan. 11, 1909, with Great Britain.)"

The words "whether by sea or otherwise," were inserted to cover both trade between Alaska and British Columbia by sea and by the Yukon and Stikine Rivers.

The words "such vessel shall not transfer her cargo or passengers to another vessel or" were inserted to restrict the trade of foreign ships.

In so far as section 3109 was applicable to British vessels on the Great Lakes and the St. Lawrence River it was in conflict with Article 1, treaty of January 11, 1909, with Great Britain, and the Attorney General, in an opinion dated April 2, 1915, held that to this extent section 3109 was superseded [copy attached], and instructions were issued to collectors. [Copy attached.]

Respectfully,

(Signed.)

E. T. CHAMBERLAIN, *Commissioner*.

#### EXHIBIT S.

TREASURY DEPARTMENT.

OFFICE OF THE SECRETARY.

Washington, D. C., February 9, 1898.

The Hon. WILLIAM P. FRYE.

*Chairman Committee on Commerce, U. S. Senate.*

SIR: Replying to your indorsement of Senate bill 3580, entitled "A bill to amend the laws relating to navigation," in which you request a report from this department, I have to state:

New and peculiar conditions, created by the discovery of gold on the Yukon River, render desirable the enactment of the inclosed bill:

First. In order to strengthen and render more explicit the laws declaring our general policy that the coasting trade (including trade between the rest of the United States and Alaska) shall be reserved exclusively to American vessels.

Second. In order to cover more explicitly this situation, seagoing vessels can proceed to St. Michael near the mouth of the Yukon. The Yukon is very shallow, in some places only 4 feet deep. Transfers of cargo and passengers from deep-draft seagoing vessels to river vessels drawing little water, are therefore necessary at St. Michael. Substantially the same is true of the Stikine River at Wrangel near its mouth.

Section 1 is a stronger and more explicit statement of certain provisions of section 4347 of the Revised Statutes. It is not put in the form of an amendment to that section, as the revisers of the statutes saw fit to incorporate in that section certain legislation based on the treaty of Washington of 1871. The present validity of that legislation has for some years been disputed, and to avoid any legislative declaration on that dispute as a part of this measure, where it is not involved the first section is drawn independently though in effect it amends indirectly the other portions of section 4347.

The essential amendment is in the words "or for any part of the voyage." The question has recently been put to the Treasury whether American goods consigned to Alaskan ports from Seattle can be carried in American vessels to Victoria, a distance of only 72 miles, and at Victoria be put on British vessels to be carried to Dyea, a distance of about 900 miles, or to St. Michael, a distance of about 2,000 miles. The Treasury Department has ruled that this is a violation of the laws reserving the coasting trade to American vessels. It is a palpable evasion of those laws but in some quarters doubt is expressed whether the courts will not decide, as they did in the case of a shipment of a cargo of nails from New York to Antwerp by a foreign vessel, and thence to San Francisco by another foreign vessel that the law had been successfully evaded, not violated. That decision led to the amendment of Revised Statutes 4347, by the act of February 15, 1893, prohibiting shipment "via a foreign port." That amendment, however, does not, perhaps, fully cover the transactions here referred to. The policy of the United States is to confine carrying by water for the whole voyage between American ports to American vessels. It is believed that section 1 explicitly affirms that policy and removes all doubt.

Section 2: Section 8 of the act of June 19, 1886 imposes a penalty of only \$2 on foreign vessels carrying passengers from one American port to another. This small penalty is wholly inadequate to preserve the coastwise carrying of passengers to American vessels on the long and expensive voyage from the Pacific coast of the United States to Alaska, up the Yukon, etc. The penalty is increased to \$100. The penalty for the like offense imposed by the Canadian laws is \$400, and I respectfully suggest that the penalty proposed by this section may be increased to that maximum. In cases where this may seem excessive, the Secretary of the Treasury has the power to mitigate it.

Section 3 is designated to give the Secretary of the Treasury full powers to regulate the transfer of cargoes and passengers from deep-sea vessels to shallow-river vessels bound up the Yukon and Stikine. The conditions under which such transfers will occur can not now be fully foreseen, so the bestowal of discretionary power in the Secretary of the Treasury seems the only way to meet the situation. After one season's experience it will probably be possible, if desirable, to offer for consideration more precise legislation.

Section 4: Section 3109 of the Revised Statutes is part of an act passed in 1866. The treaty for the purchase of Alaska was made in 1867. There is some doubt, therefore, whether section 3109 is applicable to Alaska. This bill makes it specifically applicable. The insertion of the words "transfer her cargo or passengers to another vessel" is necessary, as seagoing vessels at St. Michael do not "proceed farther inland." There is not enough water. Accordingly they transfer. The section is a necessary supplement to section 3 of the bill, as it fixes the penalty on the vessel for violation of the regulations.

Respectfully, yours,

L. J. GAGE, *Secretary*.  
E. T. C.

#### EXHIBIT T.

DEPARTMENT OF COMMERCE,  
BUREAU OF NAVIGATION,  
Washington, April 26, 1915.

General letter No. 99.

*To Collectors of Customs on the Great Lakes and Others Concerned:*

The Attorney General, under date of April 2, 1915, held that section 3109 of the Revised Statutes is in conflict with article 1 of the convention concerning the boundary waters between the United States and Canada concluded January 11, 1909, between the United States and Great Britain and the provisions of the treaty being later supersede the provisions of section 3109 Revised Statutes, so far as they are inconsistent therewith.

This does not relieve foreign vessels from the requirements of sections 2772, 2773, and 2774 of the Revised Statutes.

You will please be governed accordingly.

E. T. CHAMBERLAIN, *Commissioner*.



## EXHIBIT U.

DEPARTMENT OF JUSTICE,  
Washington, April 2, 1915.

The honorable the SECRETARY OF STATE.

SIR: I have the honor to acknowledge the receipt of your letter of January 30, 1915, inclosing copies of correspondence of the Department of State with the Department of Commerce and the British Embassy in relation to representations made by the embassy to your department to the effect that section 3109 of the Revised Statutes appears to be in conflict with article 1 of the convention concerning the boundary waters between the United States and Canada, concluded January 11, 1909, between the United States and Great Britain. You request my opinion upon the same.

Revised Statutes, section 3109, is as follows:

"The master of any foreign vessel, laden or in ballast, arriving, whether by sea or otherwise, in the waters of the United States from any foreign territory adjacent to the northern, northeastern, or northwestern frontiers of the United States, shall report at the office of any collector or deputy collector of the customs, which shall be nearest to the point at which such vessel may enter such waters; and such vessel shall not transfer her cargo or passengers to another vessel or proceed farther inland, either to unlade or take in cargo, without a special permit from such collector, or deputy collector, issued under and in accordance with such general or specific regulations as the Secretary of the Treasury may, in his discretion, from time to time prescribe. This section shall also apply to trade with or through Alaska. For any violation of this section such vessel shall be seized and forfeited."

Article 1 of the convention referred to above is as follows:

"The high contracting parties agree that the navigation of all navigable boundary waters shall forever continue free and open for the purposes of commerce to the inhabitants and to the ships, vessels, and boats of both countries equally, subject, however, to any laws and regulations of either country, within its own territory, not inconsistent with such privilege of free navigation and applying equally and without discrimination to the inhabitants, ships, vessels, and boats of both countries.

"It is further agreed that so long as this treaty shall remain in force this same right of navigation shall extend to the waters of Lake Michigan and to all canals connecting boundary waters, and now existing or which may hereafter be constructed on either side of the line. Either of the high contracting parties may adopt rules and regulations governing the use of such canals within its own territory and may charge tolls for the use thereof, but all such rules and regulations and all tolls charged shall apply alike to the subjects or citizens of the high contracting parties and the ships, vessels, and boats of both of the high contracting parties, and they shall be placed on terms of equality in the use thereof."

It will be seen that section 3109 of the Revised Statutes imposes certain restrictions upon the masters of foreign vessels with respect to the duty to report to the collector of customs and the right to transfer cargo or passengers, or to proceed farther inland, which are not imposed upon the masters of domestic ships. The treaty provides that the navigation of boundary waters between the two countries for purposes of commerce shall be free and open, subject only to such laws and regulations, not inconsistent with the privilege of free navigation, as shall apply equally and without discrimination to the inhabitants, ships, vessels, and boats of both countries. In other words, such navigation shall not be subject to laws and regulations which are discriminatory. There is, therefore, in my opinion, a clear conflict between the provisions of the treaty and section 3109 of the Revised Statutes, for, since that section relates only to foreign vessels, it constitutes a discriminatory law or regulation to which, under the terms of the treaty, British ships would not be subject.

It is well settled by the decisions of the United States Supreme Court that treaty provisions, which are self-executing in the sense that they require no additional legislation to make them effective, are equivalent to and of like obligation with an act of Congress. The Constitution declares that both shall be the supreme law of the land and both are equally binding upon the courts. *Foster v. Neilson* (1829) (2 Pet., 253, 314); *The Cherokee Tobacco* (1870) (11 Wall., 616, 621); *Cheong Heong v. United States* (1884) (112 U. S., 536, 539);

Head Money cases (1884) (112 U. S., 580, 599); *Whitney v. Robertson* (1888) (124 U. S., 190, 194).

Where such a treaty is in conflict with an act of Congress, that which is later in date will control. A treaty may supersede or abrogate a prior act of Congress, and an act of Congress similarly may abrogate or supersede a prior treaty. *Foster v. Neilson*, supra; *The Cherokee Tobacco*, supra; *Whitney v. Robertson*, supra; *Head Money cases*, supra; *Botiller v. Dominguez* (1889) (130 U. S., 238, 247); *The Chinese Exclusion case* (1889) (130 U. S., 581, 600); *Horner v. United States* (1892) (143 U. S., 570, 578); *United States v. Old Settlers* (1893) (148 U. S., 427, 468); *Fong Yue Ting v. United States* (1893) (149 U. S., 698, 720); *Lem Moon Sing v. United States* (1895) (158 U. S., 538, 549); *Wong Wing v. United States* (1896) (163 U. S., 228, 230); *Thomas v. Gay* (1898) (169 U. S., 264, 271); *Stephens v. Cherokee Nation* (1899) (174 U. S., 445, 483, 484); *La Abra Mining Co. v. United States* (1899) (175 U. S., 423, 460); *De Lima v. Bidwell* (1901) (182 U. S., 1, 195); *United States v. Lee Yen Tai* (1902) (185 U. S., 213, 220, 221); *Hijo v. United States* (1904) (194 U. S., 315, 324); *Sanchez v. United States* (1910) (216 U. S., 167, 175-176).

Article 1 of the treaty of January 11, 1909, confers rights upon the inhabitants and ships of the contracting nations by force of its own provisions which require no legislation to make them effective, and is clearly self-executing within the meaning of the authorities above cited. In *Johnson v. Browne* (205 U. S., 309, 321) it was said:

"Repeals by implication are never favored, and a later treaty will not be regarded as repealing an earlier statute by implication, unless the two are absolutely incompatible and the statute can not be enforced without antagonizing the treaty."

In the present instance section 3109 of the Revised Statutes is in my opinion so clearly incompatible with the provisions of the later treaty that it must be regarded as superseded by the latter in so far as it is inconsistent therewith. It is, therefore, in my opinion, the duty of the officials, whose function it is to administer the laws and regulations relating to commerce upon the Great Lakes, to fulfill, by proper administrative action, the requirements of the treaty and it is not necessary that the statute should be expressly repealed. As already pointed out, a treaty made under the authority of the United States is equally with an act of Congress the supreme law of the land and is binding upon the administrative officers of the Government as well as upon the courts.

As to the duties of the master of a foreign ship under Revised Statutes, section 2774, referred to in the correspondence from the Department of Commerce, I express no opinion, as the question does not appear to be now involved.

Respectfully,

T. W. GREGORY, *Attorney General*.

## EXHIBIT V.

Imports of fish (except shellfish) into the United States during the years ending Dec. 31, 1913, 1914, 1915, 1916, 1917.

Classes.	1913		1914		1915		1916		1917	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
Fish:										
Fresh fish.....	<i>Pounds.</i> 60,711,247	<i>Dollars.</i> 2,674,960	<i>Pounds.</i> 83,016,603	<i>Dollars.</i> 3,643,275	<i>Pounds.</i> 103,360,029	<i>Dollars.</i> 4,282,194	<i>Pounds.</i> 100,516,595	<i>Dollars.</i> 4,962,852	<i>Pounds.</i> 112,747,966	<i>Dollars.</i> 4,962,852
Cured or preserved.....	1,180,523,622	12,425,520	1,185,885,567	13,099,714	1,157,960,029	10,361,128	1,182,128,019	12,549,031	1,177,741,432	12,339,170
Total.....	1,241,234,869	15,100,480	1,269,502,170	16,712,989	1,263,355,753	14,643,322	1,282,144,614	17,511,903	1,290,389,398	20,072,672
Fresh, frozen or packed in ice:										
Europe.....	347,289	38,284	150,439	32,715	182,299	23,652	318,561	32,370	20,151	7,693
Canada.....	51,591,387	2,262,133	66,006,796	3,022,753	83,981,960	3,781,791	100,516,595	4,361,876	110,040,300	6,112,651
Newfoundland.....	187,871	13,363	2,459,315	54,526	3,520,777	94,841	1,374,106	55,016	1,214,721	15,323
All other countries.....	841,754	18,012	856,933	21,474	2,345,385	50,734	2,667,469	55,753	4,338,551	107,171
Total.....	52,968,301	2,331,822	70,073,683	3,131,470	90,040,121	3,951,018	104,895,503	4,485,575	115,613,723	6,242,840
Dried or smoked, pickled or salted, or packed in oil, or otherwise preserved:										
Netherlands.....	2,20,819,296	971,125	2,27,842,986	1,249,035	2,13,377,953	802,443	2,977,382	116,416	2,24,819,016	1,620,929
Norway.....	2,24,799,104	2,876,969	2,24,432,045	3,369,173	2,20,029,268	3,532,664	2,6,016,465	1,624,314	2,639,061	1,361,071
United Kingdom.....	2,46,056,707	2,312,811	2,51,417,996	2,626,459	2,48,469,287	2,136,515	2,35,817,555	2,415,703	2,21,188,219	1,562,074
Other Europe.....	2,31,171,823	2,035,942	2,173,085	2,618,216	2,6,365,949	1,965,895	2,1,294,369	1,525,467	2,1,816,368	2,056,591
Canada.....	2,31,329,905	1,680,917	2,32,737,562	2,678,010	2,37,857,203	2,807,556	2,50,238,586	4,060,944	2,84,263,115	4,683,682
Newfoundland.....	2,6,568,344	246,159	2,8,297,730	231,871	2,13,364,149	351,873	2,17,763,289	499,073	2,33,267,579	1,213,413
All other countries.....	2,60,046	365,926	2,201,692	384,225	2,17,711	400,449	2,367,497	451,861	2,74,667	557,980
Total.....	2,132,805,185	10,599,633	2,172,103,096	13,216,989	2,159,621,520	11,967,395	2,152,471,573	10,693,778	2,166,040,558	13,086,640
Fish:										
Fresh, frozen, or packed in ice—										
Atlantic coast districts—										
New England.....	9,384,458	510,045	15,666,734	602,991	17,019,345	723,434	16,923,550	632,734	26,113,087	1,209,486
Great Lakes and northern border.....	164,003	31,671	1,003,356	63,603	159,337	21,681	286,596	29,209	155,101	17,419
Pacific coast.....	34,167,816	1,446,838	48,538,104	2,251,822	60,108,713	2,966,207	60,616,644	3,382,687	65,258,743	4,524,770
All other customs districts.....	1,568,134	44,407	4,703,538	204,975	12,725,866	239,077	27,065,492	440,770	24,036,792	488,965
Total.....	7,683,890	298,861	221,951	8,079	16,860	619	13,221	175	50,000	2,200
Total.....	52,968,301	2,331,822	70,073,683	3,131,470	90,040,121	3,951,018	104,895,503	4,485,575	115,613,723	6,242,840



Dried or smoked, pickled or salted or packed in oil, or otherwise preserved:										
Atlantic coast districts—										
New England.....	2 25,950,293	1,479,109	2 48,764,829	2 306,638	2 54,181,389	2 307,671	2 63,133,590	2 553,194	2 71,320,247	3,351,342
Other Atlantic.....	2 75,499,752	6,135,004	2 89,053,623	7,545,289	2 74,160,623	6,368,173	2 60,631,540	5,506,116	2 57,779,020	6,485,006
Great Lakes and northern border.....	2 22,245,530	1,437,997	2 24,684,425	1,719,239	2 25,435,357	1,856,101	2 24,556,217	1,644,871	2 31,658,392	2,136,024
Pacific coast.....	2 1,972,848	914,139	2 1,906,873	934,335	2 2,158,844	987,777	2 2,313,601	761,544	2 1,676,026	751,561
All other customs districts.....	2 7,136,762	633,384	2 7,693,346	711,488	2 3,685,327	477,673	2 1,845,695	228,253	2 3,606,873	362,707
Total.....	2 132,805,185	10,599,633	2 172,103,096	13,216,989	2 159,621,520	11,997,395	2 152,474,573	10,633,778	2 166,040,558	13,086,640

<sup>1</sup> The totals of pounds are exclusive of caviar and other roe of fish, fish packed in oil, etc., and other fish in tin packages, for which no quantities are stated.

<sup>2</sup> The pounds represent only the dried, smoked, pickled, or salted cod, haddock, mackerel, and pollock, herring and mackerel. No quantities are available for fish packed in oil, etc., fish in tin packages or other cured fish, which classes represent roughly one-third of the value of all cured or preserved fish included in the total values shown.

## EXHIBIT W.

DEPARTMENT OF COMMERCE,

BUREAU OF FISHERIES,

Washington, February 23, 1918.

DEAR MR. SECRETARY: AS bearing on the relative cost of outfitting fishing vessels in Massachusetts and Nova Scotia, you may be interested in the following figures furnished by the Gorton-Pew Fisheries Co. showing the cost of certain staple articles for vessels engaged in the dory hand-line fishery—one out of Gloucester and the other out of Lunenburg—in the spring of 1917:

		Gloucester.	Lunenburg.			Gloucester.	Lunenburg
Flour.....	barrel..	\$11. 00	\$10. 25	Raisins.....	pound..	\$0. 12	\$0. 12
Beef.....	barrel..	26. 50	27. 00	Coffee.....	pound..	.20	.32
Pork.....	barrel..	35. 00	37. 00	Tea.....	pound..	.35	.43
Sugar.....	pound..	.08½	.09	Molasses.....	gallon..	.46	.75
Butter.....	pound..	.20	.42	Lard.....	pound..	.17	.31
Potatoes.....	bushel..	2. 75	1. 40	Eggs.....	dozen..	.35	.35
Turnips.....	bushel..	1. 60	.60				

Very truly, yours,

H. M. SMITH,  
*Commissioner.*HON. WILLIAM C. REDFIELD,  
*Secretary of Commerce.*

## EXHIBIT X.

DEPARTMENT OF COMMERCE,

BUREAU OF FISHERIES,

Washington, April 3, 1918.

The SECRETARY OF COMMERCE:

Acting under instructions from me, Mr. H. F. Brown, local agent of the bureau at Gloucester, has recently made a canvass of the Gloucester fishing fleet for the purpose of determining the nationality of the crews. He has interviewed the captains and owners of the vessels and has obtained the best possible information for year 1917. Owing to the absence of records and the changeable character of the crews, the information is not absolutely correct, but is believed to be sufficiently so for all practical purposes. Following are the results of his canvass for the 132 vessels composing the Gloucester fleet in 1917:

American .....	754	Irish .....	2
Canadian .....	897	Finn .....	1
Newfoundland .....	237	Spanish .....	1
Portuguese .....	167	Russian .....	1
Scandinavian .....	17	German .....	1
French .....	14		
Italian .....	3	Total.....	2, 095

It is interesting to note that on each of 15 of the vessels there was but one American and on each of 8 of the vessels there were only two Americans.

H. M. SMITH, *Commissioner.*

## EXHIBIT Y.

BAY OF FUNDY CLOSED TO SHAD FISHING.

The following order in council passed by the Canadian Government on February 28, 1918, proclaims a closed season for shad in the Bay of Fundy until February 28, 1922:

"That shad fishing in the Bay of Fundy waters and in all waters tributary thereto is prohibited from the 1st of March, 1918, until the last of February, 1922."

## EXHIBIT AA.

BUREAU OF NAVIGATION, GENERAL LETTER NO. 174, SUPPLEMENTAL (NO. 2).

MARCH 25, 1918.

*To collectors of customs and others concerned:*

Referring to general letter No. 174 regarding the use in the American fisheries of Canadian fishing vessels and those of other nations now acting with the United States, you are advised that the provisions of that general letter apply to vessels on the Great Lakes as well as those on the ocean, and apply also to all lakes and rivers on the Canadian boundary of the United States.

Respectfully,

WILLIAM C. REDFIELD, *Secretary*.

## EXHIBIT BB.

TREATY OF 1818, BETWEEN UNITED STATES AND GREAT BRITAIN, ARTICLE I OF  
WHICH RELATES TO THE FISHERIES.

## ARTICLE I.—FISHERIES.

Whereas differences have arisen respecting the liberty claimed by the United States for the inhabitants thereof, to take, dry, and cure fish on certain coasts, bays, harbors, and creeks of His Britannic Majesty's dominions in America, it is agreed between the high contracting parties, that the inhabitants of the said United States shall have forever, in common with the subjects of His Britannic Majesty, the liberty to take fish of every kind on that part of the southern coast of Newfoundland which extends from Cape Ray to the Rameau Islands, on the western and northern coast of Newfoundland, from the said Cape Ray to the Quirpon Islands on the shores of the Magdalen Islands, and also on the coasts, bays, harbors, and creeks from Mount Joly on the southern coast of Labrador, to and through the Straights of Belleisle and thence northwardly indefinitely along the coast, without prejudice, however, to any of the exclusive rights of the Hudson Bay Company: And that the American fishermen shall also have liberty forever, to dry and cure fish in any of the unsettled bays, harbors, and creeks, of the southern part of the coast of Newfoundland hereabove described, and of the coast of Labrador; but so soon as the same, or any portion thereof, shall be settled, it shall not be lawful for the fishermen to dry or cure fish at such portion so settled, without previous agreement for such purpose with the inhabitants, proprietors, or possessors of the ground. And the United States hereby renounce forever, any liberty heretofore enjoyed or claimed by the inhabitants thereof, to take, dry, or cure fish on, or within three marine miles of any of the coasts, bays, creeks, or harbors of His Britannic Majesty's dominions in America not included within the above-mentioned limits; Provided however, that the American fishermen shall be admitted to enter such bays or harbors for the purpose of shelter and of repairing damages therein, of purchasing wood, and of obtaining water, and for no other purpose whatever. But they shall be under such restrictions as may be necessary to prevent their taking, drying or curing fish therein, or in any other manner whatever abusing the privileges hereby reserved to them.

## EXHIBIT CC.

## MODUS VIVENDI.

Established pending ratification of the treaty of 1888 between the United States and Great Britain (which treaty, however, was not ratified by the Senate of the United States); renewed annually for the past 30 years by orders in council passed by the Government of Canada.

1. For a period not exceeding two years from the present date the privilege of entering the bays and harbors of the Atlantic coasts of Canada and of Newfoundland shall be granted to United States fishing vessels by annual licenses at a fee of \$1.50 per ton, for the following purposes:



The purchase of bait, ice, seines, lines, and all other supplies and outfits; Transshipment of catch and shipping of crews.

2. If during the continuance of this arrangement the United States should remove the duties on fish, fish oil, whale and seal oil (and their coverings, packages, &c.), the said licenses shall be issued free of charge.

3. United States fishing vessels entering the bays and harbors of the Atlantic coasts of Canada or of Newfoundland for any of the four purposes mentioned in Article I of the Convention of October 20, 1818, and not remaining therein more than twenty-four hours, shall not be required to enter or clear at the customhouse, providing that they do not communicate with the shore.

4. Forfeiture to be exacted only for the offences of fishing or preparing to fish in territorial waters.

5. This arrangement to take effect as soon as the necessary measures can be completed by the colonial authorities.

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## INDEX.

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- Accident insurance, 38.  
Act of 1789, United States laws, 12.  
Act of 1793, United States laws, 11, 12.  
Act of 1898, United States laws, 43, 57, 58.  
Act of 1903, United States laws, 43.  
Alaska:  
    Canadian fishing vessels at ports of, 108-109, 182, 216, 330.  
    Fishing vessels entering and clearing from ports of, 18, 20.  
    Hearings of conference in, 60, 283, 286, 365.  
    Navigation laws of United States apply to, 21-23.  
Aliens in crews of American fishing vessels, 17, 120-121, 123-124, 200, 214, 219, 234-235.  
Alien tonnage tax, 13.  
American-Canadian fisheries conference:  
    American delegation, 7, 197, 292.  
    Appointment of, 7, 197, 291.  
    Canadian delegation, 7, 197, 292.  
    Hearings of, in United States and Canada, 5-6, 7, 51, 60-62, 65, 111-112, 183, 188, 192, 197-198, 283, 286, 292, 293, 313-314, 321, 365.  
    Origin, purpose, and scope, 7, 52, 60-66, 85, 103, 111, 160, 192-194, 197, 199, 283, 291, 338, 365.  
    Program, 7-8, 61, 101-102, 111, 112, 183, 188, 197-198, 292-293, 307, 313-314, 321, 365.  
    Propositions to be considered, 61-66, 194.  
    Report, to respective Governments, 7, 183, 283, 307, 365.  
    Transmitting report of hearings to committee of Congress, 5-6.  
American boys, training as fishermen, 235.  
American citizens:  
    As masters and officers of American fishing vessels, 123, 141-142.  
    Number in crews of American fishing vessels, 120, 123-124, 200, 234-235.  
American fishing vessels:  
    Age of, 36, 307, 342.  
    Bait, outfits, and supplies, purchase of, in Canada, 79, 91, 96, 236, 238, 300, 303-304, 317, 335.  
        *See also* Supplies.  
    Bases of fishing operations, 210, 211.  
    Clearance from and entry to Canadian ports to and from fishing grounds, 5-6, 8-9, 54, 62, 69-71, 91, 194, 312-313, 329, 351-352.  
        Custom on Atlantic coast, 24, 66, 81, 214, 221, 226, 291, 302-303, 316, 336.  
        Custom on Pacific coast, 24, 25, 52, 65-66, 70, 216.  
    Construction of. *See* Construction of vessels.  
    Cost of. *See* Cost.  
    Crews of (*see also* Crews)—  
        Aliens and citizens among, 120, 123-124, 200, 234-235.  
        As recruits for United States navy and merchant marine, 16, 17.  
        Difficulty in obtaining, 124-127, 221-222, 228-229, 231.  
        Food, higher class than Canadians, 297-298.  
        Training of American boys for, 235.  
        Wages of. *See* Wages.  
    Entry. *See* Clearance, etc., above.  
    Effect of suspension of Canadian *modus vivendi* on, 219.  
    Insurance, rates of, 280-281, 303.  
    Ketchikan, buying bait, supplies, etc., at, 109.  
    Licenses. *See* Licenses.  
    Life of, 36, 307, 342.

## American fishing vessels—Continued.

## Lobster fishing—

Off Canadian coast, 7, 9, 53, 57, 119, 128-129, 135-136, 139, 141-143, 158, 194, 196, 291.

*See also* Lobster fishing.

Masters, officers, citizenship of, 28-31, 123, 142, 239, 241.

Number of calling at Canadian ports (1915-16), also number of calls, 225.

Modus vivendi, establishment of, by Canada; privileges under; extension to all American vessels. *See* Modus vivendi, Canadian.

Operating expenses of, 217-218, 317-318.

*See also* Costs; Operating expenses.

Order in council, March 8, 1918, granting privileges in Canadian ports, 5-6.

Places where built, 28-249.

*See* Construction.

Ports and markets of Canada, opening of, to, 5-6, 9, 62, 81-84, 96, 102, 194,

201, 206, 211, 223-224, 229-230, 232, 238, 247, 252, 263, 300, 316, 335-336.

Prince Rupert, buying bait, supplies, etc., 8, 109-110, 182, 216.

Sale of, to subjects of other nations, 26-27, 49, 277, 357-358, 363.

Sale of fish in Canadian ports. *See* Ports and markets of Canada, etc., above.

Seamen's act, United States, applicability of, to, 27, 30, 32, 331-332.

Steamboat-inspection laws of United States, applicability to, 27-38, 340.

Steamboat-inspection laws of Canada, applicability to, 357-364.

Tonnage tax, United States, not subject to, 26.

Transfer of, to Canadian registry, 26-27, 35, 38, 49.

Treaty of 1818, rights under, 8, 51, 53, 80, 90-92, 104, 195, 219, 226, 244, 274-275, 282-283, 290-291.

Treaty of 1888 (not ratified by Congress); modus vivendi by Canada pending ratification of, 51-52, 92, 195, 274, 277-278, 290-291.

*See also* Boston fisheries; Gloucester fishing fleet; Maine fishing fleet; Trawlers.

## American registry:

Canadian and other foreign vessels taking out, 35, 38, 72-73, 98-99, 106.

Sale or transfer of vessels under, 26, 27, 49, 277, 357-358, 363.

## Atlantic and Pacific fisheries, relative importance of, 48, 49.

Bait. *See* Supplies.

## Banking fleet, 266, 275, 278, 280.

Banks. *See* Fishing grounds.

## Bases of fishing operations, American fleet, 211.

## Berths on fishing vessels, 33, 331.

## Bill of health, 21, 26.

## Boilers of vessels, 28, 34-36, 357-363.

## Bond, transshipment of fish in, through Canada, 9, 96, 109, 121-122, 211, 252, 314, 357.

## Boneless-fish industry, 268.

## Boothbay, Me., lobster hatchery, 95, 134.

## Booth Fisheries Co., 169, 220-221.

## Boston Chamber of Commerce, 60, 186.

## Boston Fisheries, 176.

Consolidation of dealers, 177.

Facilities of wharf, 177, 179, 183.

Number of persons in, 120.

Numbers of trawlers, 155-156, 177.

Use of trawlers by United States Navy, 78, 155.

## Boundary waters, 46.

## Bounties to American fishermen, 12, 25.

## Bounties to Canadian fishermen, 8, 26, 62-63, 147, 215-216.

## Bounties on ship construction, Newfoundland, 214-215.

## British Navy, 179-180.

## British registry, sale and transfer of vessels of, 112.

## British shipbuilders, competition with American, 178-179, 208.

## British trawlers in American fisheries:

In this war, 98, 104-105, 148-149, 179-181, 193, 243, 311.

Number of, 148.

Taking out Canadian registry, 98, 105.

Regulation of in North Sea, 230-231.

*See also* British registry; Canadian registry; Great Britain fishing fleet; Great Britain in war.



- Bureau of Fisheries, United States, achievements of, 154, 163, 173, 207-209, 242, 319, 322.
- California Director of Markets:  
     In re fish waste as chicken food, 174, 273.  
     *See also* Chicken food; Fish waste.
- Canada and United States in the war, 60, 65, 112, 192-195, 202, 212-213, 245, 261-263, 279.
- Canadian fish imported into United States, quantity of, 19, 20, 206, 354.
- Canadian fishing vessels:  
     Age of, 295, 305, 342.  
     Alaska, entering ports of, 108-109, 182, 216, 330.  
     Bait, supplies, outfits; purchase of, in United States ports, 9, 20, 24, 39, 42, 62, 251, 297, 299-300, 304, 306.  
     Changing character of, to trading vessels, 15, 17-18, 64, 100, 103, 105, 125, 196, 204, 291, 315, 329, 347.  
     Clearance from and entry to United States ports to and from fishing grounds, 5-6, 8-9, 11-20, 26, 52, 54, 62-67, 69-73, 76, 77, 97, 103, 195, 194, 312-313, 329, 347-348, 352.  
         Custom on Atlantic coast, 21-23, 42-43, 47, 65, 66, 97, 99-100, 108, 110, 123-126, 149, 196, 204, 216, 226-228, 230, 232, 239-241, 244, 251-252, 257, 261, 263, 276, 291-292, 301-302, 314-315, 336, 354.  
         Custom of on Pacific coast, 20-26, 39-43, 46-48, 65, 66, 70, 97, 107-110, 125, 182, 216, 227, 276, 292, 330-331.  
         Orders February 20 and March 25, 1918, granting privilege during war, 5.  
         Penalty for departing without, 12-14.  
         Steam trawlers, not schooners, would benefit, 73.  
         War measure, as, 76-77, 198, 279, 353.  
     Construction of. *See* Construction of vessels.  
     Cost of. *See* Costs.
- Crews—  
     Number of, 299.  
     Plentiful, 301-302.  
     Wages of. *See* Crews.
- Entry. *See* Clearance (above).
- Fees for entry to United States ports, 21.
- Insurance of, rates for, 280-281, 303.
- Ketchikan, buying bait, supplies, etc, 109.
- Life of, 295, 303, 305, 342.
- Navigation laws of United States applicable to, 11-27, 64-66, 291, 296.
- Operating expenses of, 317-318.  
     *See* Cost; Operating expenses.
- Orders February 20 and March 25, 1918, granting privileges in American ports, 5.
- Ports and markets of United States, opening of, 5-6, 9, 12, 20, 62, 97, 99-100, 102, 105, 110, 194, 206, 210, 228-230, 239, 252, 257, 263, 267-268, 276, 283, 301, 316.
- Prince Rupert, buying bait, supplies, etc., 109-119.  
     *See also* Prince Rupert.
- Sale to citizens of United States or other nations, 358.
- Sale of fish in United States ports. *See* Ports and markets of United States, etc., above.
- Seamen's act, United States, applicability of, 27, 30, 32, 331-332.
- Steamboat-inspection laws of United States, 27-38, 340.
- Steamboat-inspection laws of Canada, 31, 36, 340, 357-364.
- Tonnage tax, United States, subject to, 26.
- Taking out American registry, 35, 38, 98-99.
- Transferring to trading vessel, 15, 17-18, 64, 100, 103, 125, 196, 204, 291, 315, 329, 347.
- United States law preventing engaging in fisheries, 11-27.
- Canadian harbors and waters:  
     Jurisdiction and control of, 234.  
     United States boats dressing fish in, 204-205, 233-234, 275, 316-317.
- Canadian law relating to steam trawlers, 85-93.
- Canadian *modus vivendi*. *See* *Modus vivendi*, Canadian.
- Canadian port charges, 9.

## Canadian registry:

American vessels taking out, 26-27, 35, 38, 49.

Canadian fishing vessels taking out, 18, 52, 64, 291.

Sale of vessels of, to other nations, 358.

Canned fish and lobster industry, 44, 45, 93, 154, 182-183, 257, 321-322, 330, 339, 355.

Captains. *See* Officers.

Cars, refrigerating, 157, 167, 169-170, 186-187, 220.

Cashes Bank, 129, 136.

Cattle-food industry, 174, 175, 181, 269.

*See* Fish waste.

Cheaper fish, 71, 73, 98, 106, 110, 316.

*See also* Expansion of American market; Food supply; Prices for fish.

Chicken-food industry, 174, 175, 181, 269-273.

*See* Fish waste.

Citizenship, officers and crews of American vessels, 120, 123-124, 141-142, 200, 234-235.

Clam meal as chicken food, 175.

*See also* Chicken food; Fish waste.

Classification societies, 28.

Cleaning fish in Canadian waters, 204-205, 233-234, 275, 316-317.

Clearance and entry:

American fishing vessels to and from Canadian ports to fishing grounds and return, 5-6, 8, 9, 54, 62, 66, 69-71, 91, 194, 312-313, 329, 351-352.

Custom on Atlantic coast, 24, 66, 81, 214, 221, 229, 291, 302-316.

Custom on Pacific coast, 24, 25, 52, 65-66, 70, 216.

Order in Council, March 8, 1918, granting privileges in Canadian ports, 5-6.

Canadian fishing vessels to and from United States ports to fishing grounds and return, 5-6, 8-9, 11-20, 26, 52, 54, 62-67, 69-73, 76-77, 97, 103, 105, 194, 312-313, 329, 347-348, 352.

Custom on Atlantic coast, 21-23, 42-43, 47, 65-66, 97, 99-100, 108, 110, 123-126, 149, 196, 204, 216, 226-228, 230, 232, 239-241, 244, 251-252, 257, 261, 263, 276, 291-292, 301-302, 314-315, 336, 354.

Custom on Pacific coast, 20-26, 39-43, 46-48, 65-66, 70, 97, 107-110, 125, 182, 216, 227, 276, 292, 330-331.

Orders, February 20 and March 25, 1918, granting privileges during war, 5.

Penalty for departing from United States ports without clearance, 12-14.

Practice of in Canadian ports, 18.

Steam trawlers, not schooners, would benefit, 73.

War measure, as, 76, 77, 198, 279, 353.

Clintonia, 256, 308.

Coal, cost of, 77, 82, 239, 282.

Coasting trade, 11, 14, 20, 106-107, 112, 313.

Cod-fish industry, 184, 207, 243, 267, 311, 316, 354.

Cod-oil industry, 266-267.

Cold-storage law in United States, 165.

Cold-storage plants:

At Ketchikan, 111.

At Prince Rupert, 111, 170, 171, 182.

Subsidy to Canadian, 111, 171.

Collectors of customs of United States:

Duties relating to navigation laws, 12, 13, 21-22, 292.

Duties relating to Inspection Service, 33.

Rulings of, 14, 46.

COMMITTEE ON FOREIGN RELATIONS, House of Representatives, 53.

COMMITTEE ON MERCHANT MARINE AND FISHERIES, House of Representatives, 5-6, 51, 53-54, 56.

Competition in Atlantic Fisheries, 81, 84-85, 98, 104, 149, 178, 179, 221-222, 228-229, 244, 246, 262, 343, 345, 349-350, 352.

Conference, American-Canadian Fisheries. *See* American-Canadian conference.

## Construction of fishing vessels, 12, 16.

## American—

Cost of, 105, 256, 267, 295, 307, 308, 318, 342-343.

Hard lumber (oak, pine) used, 246-249, 255-256, 279, 281, 295, 307, 308, 342.

Life of, 36, 307, 342.

Life of, longer than Canadian, 248, 254-256, 279-280, 295, 318.

Places where built, 16, 28, 72, 249.

Supervision over, 28.

## Canadian—

Cost of, 249, 256, 295, 308, 311, 318, 342-343.

Green lumber, 303, 305.

Life of, 295, 303, 305, 342.

Places where built, 248, 303, 309, 342.

Soft lumber used, 246, 248-249, 256, 279, 281, 295, 303, 307.

Comparison, Clintonia American, Clintonia Canadian, 256, 308.

## Great Britain—

Competition with Americans, 178-179, 208.

Cost in, 105.

## Place where built—

In Canada, 249, 303, 309, 342.

In United States, 28, 249.

## Consumption of fish, past, present, and future:

In Canada, 107-108, 110, 193, 208, 240, 242, 309, 316.

In Great Britain, 106, 110-111, 156, 162, 176-177, 193, 208, 210, 243, 309, 316, 319.

In United States 106, 110-111, 124, 153, 156, 162, 168, 176-177, 193, 207-208, 240, 242-243, 264, 309, 316, 319.

*See also*, Cheaper fish; Demand for fish; Educational propaganda; Expansion of American market for fish; Food supply; Production, increase in

Coquet, case of, 12-14, 19, 23.

## Costs:

## American vessels—

Construction of, 72, 105, 256, 267, 295, 307-308, 318, 342-343.

Labor (carpenters, laborers, etc.), 72.

Materials and supplies (bait, nets, tub trawls, coal, ice, food, etc.), 71, 72, 75, 77, 82, 217-218, 236-239, 247, 250, 317-318.

operating expenses, 217-218, 317-318.

Repairs, 303.

Wages of crews, etc. *See* Wages.

## Canadian vessels—

Construction of, 72, 249, 256, 295, 308, 311, 318, 342-343.

Labor (carpenters, laborers, etc.), 72.

Materials and supplies, 75, 77, 82, 239, 251, 295, 296, 306, 317, 345, 353.

Operating expenses, 317-318.

Repairs, 303.

Wages of crews, etc. *See* Wages.

## Comparison of American and Canadian vessels—

Cost of construction 98, 213, 246-247, 254-256, 263, 279, 295, 299, 308, 311, 318, 342-343, 345.

Cost of operating expenses, 71, 75, 77, 81-84, 98, 109, 212-213, 232, 239, 246-248, 250-251, 253-256, 263, 303, 317-318, 345, 353.

Lighthouse vessels, operating expenses of, 84.

Prices for fish, 18, 71, 73, 74, 123, 168, 208-209, 211, 222, 235, 242, 257, 259, 267, 268, 302, 312, 315, 320, 339, 347, 351, 354.

## Crews:

## Of American fishing vessels—

Aliens and citizens, 17, 120-121, 123-124, 200, 214, 219, 234-235.

As recruits for United States Navy and merchant marine, 16, 17, 285.

Difficulty in obtaining, 124-127, 221-222, 228-229, 231.

Family expenses high, 71, 72.

Food, higher class than Canadians, 297-298.

Number of, 77, 119-120, 299.

Number in Boston-Gloucester fisheries.

Share in payment of licenses fees, 71.

Shipping of in Canadian ports, 6.



## Crews—Continued.

Of American fishing vessels—Continued.

Training of American boys for, 235.

Wages of, 82, 120–121, 127, 231, 236–237, 267, 299, 309–310, 344.

Of Canadian fishing vessels—

Number, 299.

Plentiful, 301–309.

Wages of, 82, 127, 237, 295–296, 301, 305–306, 309–310, 314, 343–344, 353.

Pensions for, 157.

Space for, 33, 331–332.

*See also* Cost; Wages.Cured fish. *See* Salt-fish industry.Curing fish. *See* Dressing fish.

Demand for fish:

Increase in—

Canada, 107, 304, 308, 346–347, 351–352.

United States, 106, 110, 126–127, 149–150, 153–154, 156, 162, 164, 168, 172, 175–178, 184, 185, 193, 207, 211, 220, 222, 229–230, 235, 240, 242–243, 252–253, 319, 336.

Vessels and equipment insufficient to meet, 106, 156, 207, 208, 220, 229.

*See also*, Cheaper fish; Consumption of fish; Educational propaganda;

Equipment; Expansion of American market; Food supply; Production, increase in.

Demand and supply. *See* Consumption of fish; Demand for fish; Expansion of American market; Supply and demand.

Diplomacy, open, 60–61, 65, 186, 194, 293.

Direct clearance. *See* Clearance and entry.Distribution. *See* Fresh fish; Frozen-fish industry; Salt-fish industry; Transportation, facilities for.

Dog fish, 154, 216, 320, 323, 338–340.

Dories, 31, 32, 278, 296, 345, 353, 356.

Dressing and salting of fish in Canadian harbors by American fishing vessels, 6, 204–205, 233–234, 275, 316–317.

*See also* Fish waste.

Duty:

On fish—

Into Canada, 9, 62, 83, 90, 104, 206.

Into United States, 14, 45, 64, 99, 195, 206, 275, 290–291, 329.

On fishing gear, nets, etc—

Into Canada, 76, 79, 99.

Into United States, 76, 79–81, 99.

*See also*, Tariff.Earnings. *See* Wages.

“Eat fish.” Gospel of, 208, 319.

Educational propaganda to increase demand for fish, 110, 150, 152–154, 157, 162–166, 168, 173, 175–176, 178, 181, 184–185, 207–208, 242, 258–260, 308, 312, 322, 336, 346.

*See also* Consumption of fish; Demand for fish; Expansion of American markets; Production of fish, increase in.Engineers. *See* Officers.

Enrolled vessels, 11, 38.

Entry. *See* Clearance and entry.

Equipment:

Inspection of, 31, 32, 360.

Insufficient to meet increased demand for fish, 150, 154–156, 179, 183, 185, 207, 220, 253.

European War. *See* War.

Expansion of American market for fish, 44, 106, 127, 152–154, 156–157, 162, 171, 173, 176, 184, 185, 206–208, 242, 253, 260, 316, 319, 322, 336, 352.

*See also* Cheaper fish; Consumption of fish; Educational propaganda; Food supply; Production of fish, increase in.Expenses. *See* Operating expenses; cost.

Export of fish from Canada, 19, 20, 206, 265, 308, 311, 346–347, 351–352, 354.

Export of fish from United States, 160, 161, 165, 206, 241, 264.

Factors in fish industry, 349–351.

Fertilizer (fish) industry, 174, 259, 269, 271.

*See* Fish waste.

- "Fifty-fifty" arrangement between United States and Canada, 91, 203-204, 209, 227, 230-231, 233, 245, 252-253, 276, 293-294, 302, 307, 313, 340, 348, 351.  
*See also* Reciprocal privileges, etc.
- Fish foods, new and unused on market, 154, 163, 185, 207, 242, 323.  
*See also* Food conservation and cross references thereunder.
- Fish grease and oil industry, cost, supply, and use of:  
 Cod oil, 266-267.  
 Menhaden oil, 266-267.
- Fish meal industry, 174-175, 269-273.  
*See also* Fish waste.
- Fish waste, use of:  
 Cattle-food industry, 174, 175, 181, 269.  
 Chicken-food industry, 174, 175, 181, 269-273.  
 Fertilizer industry, 174, 269, 271.  
 Fish-meal industry, 174, 175, 269-273.  
 Glue industry, 181, 269-273.  
*See also* Dressing fish.
- Fisheries of Gloucester. *See* Gloucester fisheries.
- Fishermen. *See* Crews.
- Fishing gear. *See* Cost; Duty; Repairs; Supplies.
- Fishing grounds, 64, 210, 211.
- Fishers' act (of Canada), section 63, 32.
- Flounder industry, 173, 207.
- Food Administration of United States, 43, 44, 116, 140, 164, 166.
- Food supply, 5-6, 43, 53-54, 60-61, 65, 67, 141, 148, 149, 164, 193, 212-213, 238, 258, 268, 278, 293-294, 356.  
*See also* Cheaper fish; Consumption of fish; Expansion of American market for fish; Fish foods; Great Britain in War; Production of fish; Whales.
- Foreign Affairs, Committee of United States House of Representatives, 53.
- Foreign vessels, other than Canadian:  
 Navigation laws of United States, applicable to, 46.  
 Orders of United States granting privileges in United States ports during war, 5.  
 Purchase of, to be used in the fisheries, 98-99, 112.  
 Taking out American registry, 72, 73.  
*See also* American registry; Canadian fishing vessels; Canadian registry; French fishing vessels; Great Britain's fishing fleet; Portuguese fishing vessels; Steamboat-inspection laws.
- Fraser River, salmon fisheries of:  
 Conservation of, 6-8, 52, 54-55, 62-63, 293.  
 Drafting regulations for, 7-8, 55.
- Free fish into United States, 14, 52, 64, 97, 99-100, 102-103, 110, 149, 195-196, 204, 278, 280, 290, 347.  
*See also* Duty; Tariff.
- Free salt, 12, 25.
- Free trade, 156, 269, 280.
- French fishing vessels coming to United States, 202.
- Fresh fish:  
 Distribution of, in Canada, 107, 308, 314, 320, 346.  
 Distribution of, in United States, 121, 128, 155, 161-164, 169, 185, 220, 257, 314, 316, 319-320, 322.  
 Free into United States, 14, 52, 99-100, 102-103, 110, 149, 195-196, 204, 347  
 Imported from Canada, 99-100, 102, 105-106, 239, 301-302, 314, 316, 347, 354  
 Increased sale of, 107, 308, 319.  
*See also* DEMAND FOR FISH; EDUCATIONAL PROPAGANDA; EXPANSION OF AMERICAN MARKET; PRODUCTION OF FISH, INCREASE IN.
- Frozen-fish industry, 164-167, 169, 171, 173, 174, 182-183, 186-187, 204, 223, 257, 259, 305, 311, 320-321, 346.  
*See also* FRESH FISH AND CROSS REFERENCES; Duty.
- Gear, 217-218, 353.
- Gloucester:  
 As a fishing port, 190, 202, 204, 210-211, 268, 277-278, 283-285.  
 As a manufacturing port, 210, 272.  
 Board of Trade of, 203, 283, 285, 286, 341, 365.  
 Master Mariners' Association of, 283-284.  
 Tributes to, 283-286.

Gloucester fisheries:

Number of owners of vessels in, 200, 202-203.

Number of persons engaged in, 119-121.

Number of power and sailing vessels in, 119, 200, 211-212, 223-224, 228, 238, 247, 280.

Number of trawlers in, 224.

Number of vessels sold and to what country, 160, 274, 277.

Operating expenses of vessels. *See* Operating expenses; Costs.

Strike of fishermen 1917, 217, 353.

Glue (fish) industry, 181, 216, 259, 269-273.

*See* Fish waste.

Gorton-Pew Co., 152, 155, 200, 203, 218-219.

"Grand Bankers," 266.

Gray fish, 154, 216, 320, 323, 338-340.

Grease. *See* Fish grease and oil industry.

Great Britain's fishing fleet, 148, 149, 230.

*See also* British trawlers.

Great Britain in the war:

Food supply, 148, 193, 208, 243.

Shipbuilding, 148, 178-180, 186.

Trawler fleet. *See* British trawlers.

*See also* United States and Canada in this war.

Great Lake fisheries, 62.

"Green" fish, 267.

Grimsby, England, fishing port, 156, 159, 243.

Haddock fleet, 278.

Halibut, 6, 8, 50, 107-109, 206, 227, 276, 292.

Halifax award, 147-148, 215, 244-245.

Hayre de Grace, Md., shad hatchery, closing of, 95.

Hay-Bond treaty, 280.

Hides. *See* Leather.

High cost of living. *See* Cheaper Fish; Consumption of Fish; Educational propaganda; Extension of American market; Food; Prices for fish; Conservation.

Hulls, inspection of, 28, 36-37, 360.

Immigration laws of United States, applying to alien fishermen, 234-235.

Importation of fish:

To Canada, 128.

To United States, 99-100, 102-103, 105-106, 110, 128, 148, 167, 168, 206, 210, 265, 301, 311, 351-352, 354.

Imports, table showing, 128.

Increased demand for fish. *See* Demand for fish.

Increased production of fish. *See* Production of fish, increase in.

Inspection of vessels:

Laws of Canada, 31-32, 36, 340, 357-364.

Laws of the United States, 27-38, 340.

Reinspection, 364.

United States traveling inspectors, 264.

Insurance of vessels, difference in rate on American and Canadian, 280-281, 303.

Japanese, on American fishing vessels, 17, 120.

Ketchikan:

Bait, supplies, etc., purchase at, 109.

Canadian vessels putting into, 66, 108-109, 182, 216, 330.

Cold storage at, get citations from cold storage, 111.

Laborers, in shipbuilding. *See* Wages.

Lake Champlain fisheries:

Conditions as to, 5, 8, 53, 62, 112-119, 199, 293.

Order in council, February 18, 1918, by Canada, 5.

Lake of the Woods fisheries, 6.

Law, Canadian, relating to steam trawlers, 85-93.

Lay. *See* Wages; Cost.

Leather, from fish skins, 339-340.

Leonard Fisheries (Ltd.), Halifax, 74.

Licensed captains, mates, engineers, 28-29.

Licensed vessels, 11, 18.



- Licenses, Canadian, under *modus vivendi*, 8, 91, 121-122, 195, 201, 226, 232, 238, 246, 261, 269, 276, 279, 348.**  
 Annual, to American fishing (sail) vessels only, 52, 104, 121-122, 195, 201, 223, 226, 238, 290, 300, 335, 348.  
 Copy of, 225.  
 Fee for—  
   Abolishment of, permanently, proposed, 92, 97, 209, 226, 232, 244, 263, 275, 300, 302, 317, 336.  
   Fishermen's share in payment of, 71.  
   Reduction of, suggested, 62, 69-71, 75, 76, 79, 90-91, 96, 194, 204, 209, 226, 228, 232, 238-239, 244, 261, 274-275, 300, 302, 317, 336, 348.  
   Return of, under order in council, March 8, 1918; 6.  
   Total amount paid annually, 69-70.  
   Waiver of, during war, 6.  
 Power boats not included in license privileges, 52, 63, 64, 196, 220, 223, 226-228, 252, 290, 300, 313, 317, 349.  
 Privileges—  
   Granted under, 51-52, 63, 90, 121-123, 195, 201, 211, 221, 223-226, 228, 232, 246, 252, 290-291, 300, 335, 348.  
   Order in council extending, during war, 6.  
   Requirement of, waived during war, 6.  
 Special privileges granted in certain cases, 19, 81, 88-90, 122-123, 282-283, 313, 316, 354.  
 Suggested issuance on permanent basis to all American vessels; also reduction of fee, 8, 9, 62-64, 67, 69-71, 75-76, 79, 90, 96, 194, 204, 232, 239, 244, 252, 300, 302, 313, 316-317, 336, 348.  
*See also* AMERICAN FISHING VESSELS.
- Lobster fishing:**  
 Canadian coast—  
   American well smacks, practice of, 6, 7, 9, 53, 57, 62, 65, 67-68, 119, 128-129, 135-136, 139, 141-143, 158, 194, 196, 291.  
   Bill in Congress to prohibit practice, 6, 7, 27, 40-41, 53, 56, 57, 67, 136, 139-140, 143, 158, 291, 348.  
   Closed seasons for, 62, 65, 119, 196, 291, 337-338.  
   Cost of operating smacks, 129, 139, 142.  
   Nationality of crews, 57, 129, 142-143.  
   Protection of industry, 52, 53, 65, 93-94, 119, 131, 196-197, 204, 291, 321, 330, 332-334, 337-338, 355.  
 Maine and other New England coasts—  
   Closed seasons for, 338.  
   Federal and State laws to regulate, 69, 93, 95, 129-140, 143, 144, 158, 321, 330, 334.  
   Protection of industry, 67, 68, 93-95, 129-135, 137-140, 143-146, 204, 334, 338.  
 Maximum and minimum sizes, 68, 69, 93-94, 130-135, 137-139, 144, 146, 321-322, 330, 332-334, 355.  
 Newfoundland law, 146.  
 Propagation of, 95, 133, 134, 138, 144, 146, 321-322, 333.  
 Size of ring in trap, 136-137, 144-145.  
 Wages of lobster fishermen, 140.
- Lumber, kinds of. *See* Construction of ships.**  
**Lunenburg, fishing industry of, 222, 229, 254, 295-306, 308, 310, 331-332.**  
**Machinery, inspection of, 31, 33-36, 340, 357, 360, 362.**  
**Mail-order fish industry, 241-242.**  
**Maine fishing fleet, number of, 264.**  
**Manifests, 42, 43.**  
**Marine insurance. *See* Insurance of vessels.**  
**Markets:**  
   Of Canada, opening of, to American fishing vessels, 5-6, 9, 62, 81-84, 96, 102, 194, 201, 206, 211, 223-224, 229-230, 232, 238, 247, 252, 263, 300, 316, 335-336.  
   Of United States, opening of, to Canadian fishing vessels, 5-6, 9, 12, 20, 62, 97, 99-100, 102, 105, 110, 194, 206, 210, 228-230, 239, 252, 257, 263, 267-268, 276, 283, 301, 316.  
*See also* American fishing vessels; Canadian fish brought into United States markets; Canadian fishing vessels; Consumption of fish; Expansion of American markets.

Masters of American vessels, citizenship of, 123, 142, 241.

Mates. *See* Officers.

Meat supply:

Relation of, to fishing trade, 44, 110, 153, 162, 222, 229, 235, 242-243, 264, 294, 316, 319, 347.

Shortage of, 44, 153, 222, 229, 235, 238, 240, 242-243, 264, 294, 316, 319, 347.

Transportation facilities for, 220-221.

*See also* Refrigerating cars.

Menhaden oil industry, 266-267.

Merchant marine, source from which recruited, 16, 17, 285.

Merchant Marine and Fisheries, committee of United State House of Representatives, 5-6, 51, 53-54, 56.

Modus vivendi, Canadian:

Applicable to American fishing (sail) vessels only, 52, 63, 64, 104, 121-122, 195, 201, 223, 226, 238, 290, 300, 335, 348.

Copy of—(Exhibit CC), 384.

Establishment of, in 1888 and renewed annually, 51-52, 63-64, 80, 92, 195.

Extension of (proposed), on permanent basis to all American fishing vessels, 8, 62-64, 67, 69-71, 75, 76, 79, 90, 96, 103-105, 194, 204, 232, 239, 244, 252, 302, 312, 313, 317, 336, 348, 354.

Fees under. *See* Licenses, below.

Licenses under, 8, 91, 121-122, 195, 201, 226, 232, 238, 246, 261, 269, 276, 279, 348.

Annual, to American fishing (sail) vessels only, 52, 63-64, 104, 121-122, 195, 201, 223, 226, 238, 290, 300, 335, 348.

Copy of, 225.

Fee for—

Abolishment of, permanently proposed, 92, 97, 209, 226, 232, 244, 263, 275, 300, 302, 317, 332.

Fishermen's share in payment of, 71.

Reduction of, suggested, 62, 69-71, 75-76, 79, 90-91, 96, 194, 204, 209, 226, 228, 232, 238-239, 244, 261, 274-275, 300, 302, 317, 336, 348.

Return of, under order Mar. 8, 1918, page 6.

Total amount paid annually, 69-70.

Waiver of, during war, 6.

Power boats not included in license privilege, 52, 63, 64, 196, 220, 223, 226-228, 252, 290, 300, 313, 317, 349.

Privileges—

Granted under, 51-52, 63, 90, 121-123, 195, 201, 211, 221, 223-226, 228, 232, 246, 252, 290-291, 300, 335, 348.

Order extending, during war, 6.

Special privileges granted in certain cases, 19, 81, 88-90, 122-123, 282-283, 313, 316, 354.

Suggested issuance on permanent basis to all American vessels; also reduction of fee, 8, 9, 62, 64, 67, 69, 70, 75, 76, 79, 90, 96, 104, 204, 232, 239, 244, 252, 300, 302, 313, 316-317, 336, 348.

Order in council extending, during war, 6.

Privileges granted under. *See* Licenses, above.

Ports of Canada, opening of, to American fishing vessels. *See* American fishing vessels.

Suspension of, 219.

Text of (Exhibit CC), 384.

War order in council extending privileges, 6.

*See also* American fishing vessels; Fifty-fifty; Licenses; Reciprocal arrangements.

Motor fishing vessels:

Applicability of United States steamboat-inspection laws to, 27-31, 35.

Licenses not granted under Modus Vivendi. *See* Modus Vivendi.

*See* Steamboat-inspection laws of United States; Licenses; Power vessels.

Nationality of crews, American fishing vessels, 17, 120, 123-124, 200, 214, 219, 234-235.

Navigation laws of United States, application of, to fishing vessels, 11-27, 64, 291, 296.

## Nets:

- Cost of, in Canada and United States, 78-80, 250, 325.
- Duty on, in United States and Canada, 76, 77, 79, 81, 250, 296.
- Mending of, in Canadian ports, 221, 233, 275, 316-317.
- Manufacturers of, 78.
- Tariff (U. S.) classification, revision of, 78, 80.
- Where bought, 79, 81, 250, 296.

New England fishing interests, notice of hearings sent to, 8, 62.

## Newfoundland:

- Conference has no reference to, 112, 126, 214.
- Crews from, for American fishing vessels, 120, 123-125, 127, 214, 221.
- Fish from, to United States free, 64.
- Imports of fish from, to United States, 64, 149, 214.
- Law as to lobsters, 146.
- Shutting out American banking fleet, 219, 280.
- War conditions in, 212-213.

New York State. *See* Lake Champlain Fisheries.

Northern, northeastern, and northwestern frontiers, 47, 49.

"Ocean white fish." 216.

*See* Whiting.

Offal. *See* Waste; Chicken-feed industry; Fish-meal industry.

## Officers:

American vessels—

- Citizenship of, 123, 142, 241.
- Licensed, 28-31.
- Number of mates, 30.
- Wages. *See* Wages.

Canadian vessels—

- Wages of. *See* Wages.

Oils. *See* Fish grease and oils industry.

Open diplomacy, 60-61, 65, 186, 194, 293.

Operating expenses of American, Canadian, and British fishing vessels, 217-218, 317-318.

*See* Cost.

## Orders in Council, Canadian:

- Extending *modus vivendi*, 51, 52, 92, 195, 274, 290.
- February 18, 1918, Lake Champlain fisheries, 5.
- February 28, 1918, closed season for shad, Bay of Fundy, 382.
- March 8, 1918, granting American fishing vessels privileges in Canadian ports during the war, 5-6.

*See also* Reciprocal privileges, etc.

## Orders of United States Government:

- February 20, 1918, granting privileges to Canadian and other vessels in American ports, 5.
- March 25, 1918, applying order of February 20 to Great Lakes, etc., 5.

Ottawa, suggestion that conference meet in, 51.

## Ownership of vessels:

- Individual and consolidated, 177, 200-201, 304-305.
- Number of owners, Gloucester fleet, 200, 202-203.

Pacific and Atlantic fisheries, relative importance of, 48-49.

Panama Canal act, whether applies to fishing vessels, 98-99, 106-107.

Pay. *See* Wages.

Pennington, Dr., 167, 169-170, 172.

Pension for fishermen, 157.

Pickled-fish industry, 257.

Pike perch, Lake Champlain, 8, 53, 112-119, 199, 293.

Pilotage, collection of, in Canadian ports, 214-215.

Pollution of waters, 335.

Ports of Canada, opening of to American fishing vessels, 5-6, 9, 62, 81-84, 96, 102, 194, 201, 206, 211, 223-224, 229-230, 232, 238, 247, 252, 263, 300, 316, 335-336.

Port charges of Canada, 9.

Ports of United States, opening of to Canadian vessels, 5-6, 9, 12, 20, 62, 97, 99-100, 102, 105, 110, 194, 206, 210, 228-230, 239, 252, 257, 263-268, 276, 283, 301, 316.

Portuguese on American fishing vessels, 17, 120-121, 200, 214, 219, 234-235.

Portuguese fishing vessels, coming to United States, 202, 356.



## Power fishing vessels:

Applicability of United States steamboat-inspection laws to, 27-31.

Auxiliary fishing vessels of Gloucester, 223-224, 228, 230.

Canadian Government granting special privileges to, 19, 81, 88-90, 122-123, 282-283, 313, 316, 354.

Tendency toward, 96-97, 119, 200, 223-224, 315, 341, 346.

*See* Gloucester fisheries vessels; Motor fishing vessels; Vessels.

## Prepared-fish industry, 241-242.

Prices for fish, 48, 71, 73, 74, 123, 168, 208-209, 211, 222, 235, 242, 257, 259, 267-268, 302, 312, 315, 320, 339, 347, 351, 354.

*See also* Cheaper fish.

## Prince Rupert:

Cold storage at, 111, 170, 171, 182.

Free and open market for fish, 109-119.

Seattle outfitters in re privileges to American vessels, 70.

Use of port by American fishing vessels, 6, 8, 70, 109-110, 182, 216.

Privileges. *See* Reciprocal privileges; *Modus vivendi*.

Production of fish, increase in, 64, 98, 104-106, 153, 183, 185-186, 188, 206, 208, 212-213, 215, 223, 243, 248, 265, 267-268, 278, 313, 316, 323, 340, 346, 351-352, 354, 356-357.

*See also*, Demand for fish, etc.; Educational propaganda, etc.; Expansion of American market; Food supply.

## Protection of American fishing industry, 78, 203, 205.

*See also*, *Modus vivendi*; Reciprocal privileges.

## Puget Sound, salmon fisheries of:

Conservation of, 6-8, 52, 54-55, 62-63, 293.

Drafting regulations for, 7-8, 55.

## Reciprocal privileges between the United States and Canada:

As a war measure, 76, 77.

## By Canada—

Order in council, February 18, 1918, Lake Champlain fisheries, 5.

Order in council, March 8, 1918, granting privileges in Canadian ports, during the war, to American fishing vessels, 5-6.

## By United States—

Bill in Congress, February 25, 1918, to stop American lobster smacks fishing off Canadian coast, 6.

Order, February 20, 1918, granting privileges in American ports, during the war, to fishing vessels of Canada and other nations now acting with the United States, 5.

Order, March 25, 1918, applying order of February 20, 1918, to Great Lakes and boundary waters, 5.

To American fishing vessels in Canadian ports and to Canadian fishing vessels in American ports, 5-6, 67-71, 75-78, 81-84, 90-92, 97-98, 102-104, 147, 158-159, 178-179, 183, 199, 202, 209-211, 213, 215, 220-221, 226-227, 229-230, 232, 245-246, 252, 275-277, 284-285, 290-294, 302, 307, 312-313, 317, 329, 336, 340-341, 346, 348-349, 351-354.

*See also*, American fishing vessels; Canadian fishing vessels; Fifty-fifty:

Licenses; *Modus vivendi*.

## Reciprocity with Canada, proposed in 1911, 280.

Refrigerating cars and ships, 157, 167, 169-170, 186-187, 220.

Registered vessel, 18, 52, 276, 291.

Registry. *See* American registry; British registry; Canadian registry.

Reinspection of vessels, 37.

Relative importance of Atlantic and Pacific fisheries, 48-49.

## Repairs:

American vessels, cost of, 303.

Canadian vessels, cost of, 303.

Privilege of, to American vessels in Canadian ports, 5-6, 313.

*See also*, Cost; Treaty of 1818.

## Resolutions:

In re protection of—

Halibut, 374.

Salmon, 7.

Sturgeon, 39.

Revised Statutes of United States. *See* Statutes of United States.

## Rope:

*See* Supplies, 250, 317.

## Sale of fish:

In American markets, privilege to Canadian fishing vessels, 9, 12, 20, 123, 210, 340.

In Canadian markets, privilege to American fishing vessels, 9, 97, 206, 317, 340.

In inland cities of Canada, 104, 241, 346.

In inland cities of United States, 152, 155-157, 161-165, 167, 171-173, 185, 206-207, 319-320, 322, 329.

Increase of in Canada, 308.

Increase of in United States, 162, 175.

## Salmon:

On Pacific, 6-8, 52, 54-55, 62-63, 293.

On Atlantic, 324-327, 337.

Salmon pack, size of, 44.

Salt fish, into United States duty free (see table), 128, 204, 227, 239.

Salt fish industry, 151-152, 160, 182-183, 206, 257-260, 263, 268, 279, 301-302, 346-347, 352.

Salt, free, 12, 25.

Sardines, 44, 45, 293, 340.

Seal, case of, 85-93, 273-274, 281-282.

Seamen's act of United States, applicability of, to fishing vessels, 27, 30, 32, 331, 332.

Seattle, outfitters in, 70.

## Shad:

In Canadian waters, 293, 323-329, 334, 337, 356, 364-365, 383.

In American waters, 55, 95, 324, 328, 337, 364.

Sharks, 179.

*See also*, Leather.

Shipbuilding. *See* Construction of fishing vessels.

Shipment of fish in bond through Canada, 9, 96, 109, 121-122, 211, 252, 314, 357.

Ships, refrigerating, 186-187.

Shore fisheries, 184-185, 198, 219-200.

Skins. *See* Leather.

Slavonians, on American fishing vessels, 17.

Smoked-fish industry, 257, 264, 314, 329, 346.

Smuggling, law to prevent, 21, 23, 38, 330.

Sponge-protection law, 140.

States, several not cooperating with Federal Government, 95.

## Statistics:

*See* Consumption of fish; Cost; Exports; Fees for licenses; Imports;

Tables; Vessels.

## Statutes of United States:

Act of 1789, 12.

Act of 1783, 11, 12.

Act of 1898, 43, 57, 58.

Act of 1903, 43.

Cold-storage law, 165.

Navigation laws. *See* Navigation laws.

Panama Canal act, 98-99, 106-107.

Seamen's act. *See* Seamen's act.

Section 1954 R. S., 22.

Section 3109 R. S., 43, 46-47, 49-50, 57-58, 108, 276, 330.

Section 4131 R. S., 38.

Section 4311 R. S., 11, 20, 263.

Section 4420 R. S., 26.

Section 4426 R. S., 27-29.

Section 4430 R. S., 362-363.

Section 4431 R. S., 362.

Section 4433 R. S., 362-363.

Section 4463 R. S., 30.

Section 4516 R. S., 32-33.

Steamboat inspection laws. *See* Steamboat inspection laws.

## Steamboat-inspection laws of United States:

Applicability of to fishing vessels, 27-38.

Comparison with Canadian laws, 340.

Traveling inspectors to enforce, 364.

## Steam fishing vessels:

Applicability of Canadian steamboat-inspection laws to, 32, 35.

Applicability of United States steamboat-inspection laws to, 27-32, 36.

Number of, at Gloucester, 224, 315.

*See also* American fishing vessels, Trawlers, Vessels.

Steam trawlers, 28-30, 32, 35, 81, 85-90, 98, 155, 309.

*See* Trawlers.

Strike of Gloucester fishermen (1917), 217, 353.

Sturgeon, protection of, 8, 39-40, 53.

Subsidy to Canadian cold-storage plants, 171.

Supplies (outfits, coal, grub, ice, bait, tub trawls, nets, rope, etc.), 296, 331-332, 345.

American fishing vessels obtaining in Canadian ports, 6, 79, 91, 96, 236-238, 300, 303-304, 317, 335.

Canadian fishing vessels obtaining in United States ports, 9, 20, 24, 39, 42, 109, 251, 297, 299, 300, 304, 306.

Cost of, for Canadian and American fishing vessels, 82, 236-239, 247, 250-251, 295-296, 306, 345, 353.

Ketchikan, obtaining of, at, 109.

*See* Ketchikan.

Prince Rupert, obtaining of, at, 109-119.

Prices of, in Canada and United States, 79, 236-238, 250-251, 254, 278, 298.

Quality, 255, 297, 310, 314, 345, 355.

Quantity, 251.

Supply of fish, where largest from, 210, 211.

Surplus supply of fish, required, 185.

## Supply and demand:

Development and increase of, 104-106, 110, 127, 149-150, 152-156, 162, 164, 172, 175-178, 183-185, 193, 199, 206-207, 211, 222, 229, 239-240, 242-243, 252-253, 258, 319, 323, 336-337, 346, 351.

Relation between, 44-45, 71-72, 106, 127, 151-155, 162, 164, 168, 208-209, 230, 243, 253, 315-316, 336.

*See also* Consumption of fish; Demand for fish; Educational propaganda; Expansion of American markets; Production, increase in.

## Tables:

Bounties paid to Canadian fishermen, 367.

Cost of outfitting American fishing vessels, 236-238.

Cost of outfitting Canadian fishing vessels, 297-298.

Expenditures of American fishing vessels in Canadian ports, 236, 237.

Expenses of Gloucester fishing vessels, 236, 237.

Imports of fish into United States, 381, 382.

Nationality crews Gloucester fleet, 212.

Number vessels Gloucester fleet, 212.

Outfitter supplies for Canadian vessels, 297.

Prices for food, supplies, etc., for American and Canadian fishing vessels, 238.

Vessels transferred to aliens, including Canadians, 373, 374.

Tanning fish skins. *See* Leather.

## Tariff:

A domestic problem, 52, 64, 83, 90, 103-104, 196, 201, 275, 291.

Canadian on fish, 9, 83, 90, 104, 206.

Duty on fish and fishing gear, nets, etc., 79-81, 99.

*See* Duty.

United States tariff act 1913, admitting certain fish free, 52, 64, 99, 103, 195-196, 204, 290-291.

## Territorial waters:

Alaska, 21, 24.

Canadian, 24, 52-53, 85-90, 196, 205, 281, 292.

United States, 49, 205, 276, 281, 293, 330.

Texas fish hatchery, closing of, 95.

The seal, case of Gloucester steam trawler at Halifax, 85-93, 273-274, 281-282

Three-mile limit, 85-93, 196, 204-205, 233, 275, 277-278.

Tinker, 93-94.

Tonnage tax, United States, on fishing vessels, 26.

*See also* American fishing vessels; Canadian fishing vessels.

Transfer of Canadian fishing vessel to trading vessel, 15, 17-18, 64, 100, 103, 105, 125, 196, 204, 291, 315, 329, 347.



Transportation facilities. 157, 163-166, 169-176, 257, 269, 319.

*See also* Refrigerating cars and ships.

Transshipment of fish, from Canada to United States, 69, 70, 96, 109, 121-122, 211, 252, 314.

Traveling inspectors, United States Steamboat Service, 37.

Trawlers:

American, 73, 230-231, 278-279.

Boston fleet, 155-156.

British 88, 148, 230, 243.

Canadian, 73, 230-231, 278, 309.

Regulation of—

In American-Canadian fisheries, 28, 85-93.

In North Sea, 230-231.

*See also* American fishing vessels; British trawlers; Canadian fishing vessels; Vessels; Wages.

Treaty of 1818, rights of American fishing vessels under (shelter, repairs, wood, water), 8, 51, 53, 63, 64, 80, 90-92, 104, 195, 219, 226, 244, 274, 282-283, 290-291.

Treaty of 1854, 312.

Treaty of Washington, 1871, 52, 147, 148, 215, 244-245, 291.

Treaty of 1888, not ratified by Congress:

Proposed rights under, 51-52, 63-64, 195, 277-278, 290-291.

Modus vivendi, established by Congress pending ratification of, 51-52, 92, 195, 274, 290.

Treaty of 1909, 43, 46, 49-50.

Tuna-fish industry, 173-174, 184.

Twelve-mile limit, fishing off Canadian coast, 85-93, 205, 273, 282.

*See also* The Seal.

United States and Canada in the war, 112, 192-195, 203, 212-213, 245, 261-263, 279.

*See also* Great Britain in the war.

United States fishing vessels. *See* American fishing vessels.

United States Navy, sources from which recruited, 16, 17, 235, 285.

Vermont. *See* Lake Champlain fisheries.

Vessels:

Aliens and citizens on American fishing vessels, 17, 120-121, 123-124, 200, 214, 219, 234-235.

American registry. *See* American registry.

American fishing vessels, privileges in Canadian ports. *See* American fishing vessels; Reciprocal privileges.

Bait for. *See* Supplies.

Bill of health, 21, 26.

Boilers of, 28, 34-36, 357-363.

British trawlers. *See* British trawlers.

Canadian fishing vessels, privileges in American ports. *See* Canadian fishing vessels; Reciprocal privileges, etc.

Canadian port charges for American fishing vessels, 9.

Clearance and entry, American fishing vessels in Canadian ports; and Canadian fishing vessels in American ports. *See* Clearance and entry; Reciprocal privileges.

Construction of—

Cost of American fishing vessels, 105, 256, 267, 295, 307-308, 318, 342-343.

Cost of Canadian fishing vessels, 249, 256, 295, 308, 311, 318, 342-343.

Place of, 28, 248-249, 303, 309, 342.

Cost of construction, labor, materials, and supplies. *See* Cost.

Crews of. *See* Crews.

Earnings of, compared with Canadian, 229, 246.

Equipment, inspection of, 31, 32, 360.

*See also* Equipment.

Fishermen. *See* Crews; Gloucester fisheries; Wages.

Fishing gear—

Cost of. *See* Supplies.

Duty on. *See* Duty.

Food, cost of for American and Canadian vessels. *See* Cost.

Foreign vessels taking out American or Canadian registry. *See* American registry; British registry; Canadian registry.

French fishing vessels, in fisheries, 202.

## Vessels—Continued.

"Grand Bankers," 266.

Gloucester fishing fleet. *See* Gloucester fisheries.

Great Britain's fishing fleet. *See* Great Britain's fishing fleet.

Inspection and reinspection of. *See* Inspection of vessels.

Licensed captains, mates, and engineers, 28-29.

Licenses, Canadian, to American fishing vessels. *See* Licenses.

Lobster well smacks. *See* Lobster fishing.

Manifests, 42, 43.

Masters and officers of American vessels. *See* Officers, American vessels.

Modus vivendi of Canada, American fishing vessels operating under. *See* Modus vivendi.

Motor fishing vessels. *See* Motor fishing vessels; Power.

Navigation laws of United States, applicability of to fishing vessels, 11-27, 29, 196.

Nets. *See* Nets.

Number of—

Boston-Gloucester fleets, 155-156, 177, 199-200, 202-203, 211-212, 223-224, 228, 234, 238, 247, 280.

Calling at Canadian ports, 1915-16; also number of calls, 225.

Insufficient to supply increased demand for fish, 106, 156, 207, 208, 220, 229.

Owners, Gloucester boats, 200, 202, 203.

Sailing from Lunenburg, 301-302, 304.

Sold at Gloucester and to what countries, 160, 274, 277.

Operating expenses of. *See* Cost; Operating expenses; Gloucester fisheries. Officers of American vessels. *See* Officer, etc.

Ownership of—

Consolidation of owners, 177, 200-201.

Number of owners at Gloucester, 200, 202-203.

Ports of Canada, opening of, to American vessels. *See* American fishing vessels; Reciprocal privileges.

Ports of United States, opening of, to Canadian vessels. *See* Canadian fishing vessels; Reciprocal privileges.

Portuguese fishing vessels coming to United States, 202, 356.

Power, fishing vessels. *See* Power.

Prince Rupert, American vessels putting in at. *See* Prince Rupert.

Privileges to American and Canadian. *See* Reciprocal privileges.

Quality of, 35, 36.

Repairs, to United States vessels in Canadian ports. *See* Cost; Repairs; Treaty of 1818.

Rights of American fishing vessels under treaty of 1818. *See* American fishing vessels.

Seamen's act, United States, applicability of, to fishing vessels. *See* Seamen's act.

Shelter for United States vessels in Canadian ports. *See* Shelter; American fishing vessels; Treaty of 1818.

Steamboat-inspection laws of Canada, applicability of, 31-32, 36, 340, 357-364.

Steamboat-inspection laws of United States, applicability of, 27-38, 340.

Steam fishing vessels. *See* Steam fishing vessels.

Supplies for (*see* Supplies)—

At Ketchikan. *See* Ketchikan.

At Prince Rupert. *See* Prince Rupert.

Cost of, for Canada and United States fishing vessels. *See* Cost.

Obtained by American fishing boats in Canadian ports. *See* Supplies.

Obtained by Canadian fishing vessels in United States ports. *See* Supplies.

The Seal, incident at Halifax, 85-93, 271-274, 281-282.

Tonnage tax on United States fishing vessels, 26.

Transfer of—

American vessels to Canadian registry, 26-27, 35, 38, 49.

British and other foreign vessels to American registry, 35, 38, 98-99, 106.

Canadian vessels to American registry, 35, 38, 98-99.

From character of fishing vessel to trader, 15, 17, 18, 64, 100, 103, 105, 125, 196, 204, 291, 315, 329, 347.

## Vessels—Continued.

Treaty of 1818, rights of United States vessels under. *See* Treaty of 1818.

Treaty of 1888 (not ratified), proposed rights under. *See* Treaty of 1888.

United States fishing vessels. *See* American fishing vessels.

Wages of captains and crews of American and Canadian. *See* Wages.

Water for United States vessels in Canadian ports. *See* Water; Treaty of 1818.

Wood for United States vessels in Canadian ports. *See* Wood; Treaty of 1818.

## Wages:

Captains, mates, crews, fishermen, 120, 124, 126, 213, 231, 236-237, 267, 296, 306, 314, 343-344, 365.

American fishing vessels including steam trawlers, 62, 71-77, 82, 120-121, 127, 231, 236-237, 267, 299, 309-310, 344.

Canadian fishing vessels, including steam trawlers, 62, 73-77, 82, 127, 229, 237, 295-296, 301, 305-306, 309-310, 314, 343-344, 353.

Comparison of, officers and crews American and Canadian fishing vessels, 73-77, 126-127, 213, 229, 237, 254, 299, 302, 304, 309-310, 314, 343-345.

Carpenters, laborers, etc., in shipbuilding, 72.

Great Britain in, 180-181, 310.

Rate, computation of, 74, 77, 305, 309.

Sharing system on fishing vessels, 213, 217-218, 296, 299, 305, 309-310, 343, 365.

War. *See* Canada and United States in; Great Britain in; Modus vivendi;

Orders in Council; Orders of United States Government.

War of 1812, 63.

Waste. *See* Fish waste.

Water for American fishing vessels in Canadian ports, 88, 317.

*See also* Modus vivendi; Treaty of 1818.

Well smacks. *See* Lobster fishing.

## Whales:

Fishing for, 62, 242.

Industry, 6, 62.

Meat as a food, 154, 242, 245.

Protection of, 6, 8.

*See also* Leather.

Whitefish. *See* Lake Champlain.

Whiting fish industry, 165, 167, 171-172, 181, 184, 207, 216, 258-260.

Wood, for American fishing vessels in Canadian ports, 313.

*See also* Modus vivendi; Treaty of 1818.



















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